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MONTANA LEGISLATIVE HISTORY

Chapter 489 Session L 2009
Bill House 645 Senate _____

History and final status sheet X
Introduced bill X
Fiscal note NP
Third reading bill X
Final version of bill X

House Committee on Appropriations

Hearing date(s)* 3/12 3/13
 3/19 3/23

Executive action (vote) date(s)* 3/24

Comm. Report 3/25

Floor 2nd reading & vote 3/26;4/17

Floor 3rd reading & vote 3/26;4/17/28

Senate Committee on Finance & Claims

Hearing date(s)* 3/31 4/1
 4/8 _____

Executive action (vote) date(s)* 4/8

Comm. Report 4/9

Floor 2nd reading & vote 4/14;4/28

Floor 3rd reading & vote 4/15;4/28

Conference or Free Conference Comm. X Yes _____ No

Hearing date(s)* April 17,20,21,22,23,24,25,27

Executive action (vote) date(s)* 4/27. Reports 1 & 2 4/27

* Includes minutes, exhibits, roll call, visitors register, and vote sheet if available.

Did this bill originate in an interim committee? _____ Yes X No

Committee _____ Report _____

NOTES: Jnt Approp Subcomm Health, Human Services: 3/12;3/13
Jnt Approp Natural Resources/Transportation, Long-Range Planning:
3/12
Jnt Approp Subcomm General Gov't: 3/12;3/13
Jnt Approp Subcomm Education: 3/12;3/13
Jnt Approp Subcomm Judicial Branch, Law Enforcement & Justice 3/12;
3/13
Jnt Approp Subcomm Long-Range Planning: 3/18

Governor's Line Item Veto 5/14



Compiled by: rg

Date: 3-29-2016

Montana
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Montana Legislature

Detailed Bill Information

2009 January
Regular Session



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Bill Draft Number: LC2314

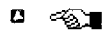
Current Bill Text:

Bill Type - Number: HB 645

Short Title: Implement receipt of and appropriate federal stimulus and recovery funds

Primary Sponsor: Jon C Sesso (D) HD 76

Chapter Number: 489



Bill Actions - Current Bill Progress: Became Law

Bill Action Count: 127

Print Friendly

Action - Most Recent First	Date	Votes Yes	Votes No	Committee
Chapter Number Assigned	05/14/2009			
(H) Returned with Governor's Line-item Veto	05/14/2009			
(H) Signed by Governor	05/14/2009			
(H) Transmitted to Governor	05/05/2009			
(S) Signed by President	05/05/2009			
(H) Signed by Speaker	05/04/2009			
(H) Returned from Enrolling	05/04/2009			
(C) Printed - New Version Available	05/04/2009			
(C) Printed - New Version Available	05/04/2009			
(H) Sent to Enrolling	04/28/2009			
(H) 3rd Reading Free Conference Committee Report Adopted	04/28/2009	51	49	
(S) 3rd Reading Free Conference Committee Report Adopted	04/28/2009	34	16	
(S) Scheduled for 3rd Reading	04/28/2009			
(H) Scheduled for 3rd Reading	04/28/2009			
(H) 2nd Reading Free Conference Committee Report Adopted	04/28/2009	69	31	
(H) Scheduled for 2nd Reading	04/28/2009			
(S) 2nd Reading Free Conference Committee Report Adopted	04/27/2009	37	13	
(S) Free Conference Committee Report Received	04/27/2009			
(S) Free Conference Committee Report Received	04/27/2009			
(H) Free Conference Committee Report Received	04/27/2009			
(S) Hearing	04/27/2009			(S) Free Conference
(S) Scheduled for 2nd Reading	04/27/2009			
(S) Hearing	04/25/2009			(S) Free Conference
(S) Hearing	04/24/2009			(S) Free Conference

(S) Hearing	04/23/2009			(S) Free Conference
(S) Hearing	04/22/2009			(S) Free Conference
(S) Hearing	04/21/2009			(S) Free Conference
(S) Hearing	04/20/2009			(S) Free Conference
(S) Hearing	04/17/2009			(S) Free Conference
(S) Free Conference Committee Appointed	04/17/2009			
(H) Free Conference Committee Appointed	04/17/2009			
(H) 2nd Reading Senate Amendments Not Concurred	04/17/2009	73	27	
(H) Scheduled for 2nd Reading	04/17/2009			
(S) Returned to House with Amendments	04/15/2009			
(S) 3rd Reading Concurred	04/15/2009	27	23	
(S) Scheduled for 3rd Reading	04/15/2009			
(C) Printed - New Version Available 	04/14/2009			
(S) 2nd Reading Concurred as Amended	04/14/2009	27	23	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	50	0	
(S) 2nd Reading Motion to Amend Carried on Voice Vote	04/14/2009	46	4	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	31	19	
(S) 2nd Reading Motion to Amend Failed	04/14/2009	22	28	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	26	24	
(S) 2nd Reading Motion to Amend Failed	04/14/2009	19	31	
(S) 2nd Reading Motion to Amend Failed	04/14/2009	23	27	
(S) 2nd Reading Motion to Amend Carried on Voice Vote	04/14/2009	50	0	
(S) 2nd Reading Motion to Amend Carried on Voice Vote	04/14/2009	50	0	
(S) 2nd Reading Motion to Amend Failed	04/14/2009	23	27	
(S) 2nd Reading Motion to Amend Failed	04/14/2009	15	35	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	28	22	
(S) 2nd Reading Motion to Amend Failed	04/14/2009	22	27	
(S) 2nd Reading Motion to Amend Failed	04/14/2009	23	27	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	35	15	
(S) 2nd Reading Motion to Amend Carried on Voice Vote	04/14/2009	36	14	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	37	12	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	26	22	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	30	20	
(S) 2nd Reading Motion to Amend Carried	04/14/2009	27	23	
(S) Scheduled for 2nd Reading	04/14/2009			
(C) Printed - New Version Available 	04/10/2009			
(S) Committee Report--Bill Concurred as Amended	04/09/2009			(S) Finance and Claims
(S) Committee Executive Action--Bill Concurred as Amended	04/09/2009	11	8	(S) Finance and Claims
(S) Hearing	03/31/2009			(S) Finance and Claims
(S) Referred to Committee	03/27/2009			(S) Finance and Claims
(S) First Reading	03/27/2009			
(H) Transmitted to Senate	03/26/2009			
(H) 3rd Reading Passed	03/26/2009	64	35	

(H) Scheduled for 3rd Reading	03/26/2009			
(H) On Motion Rules Suspended	03/26/2009			
(C) Printed - New Version Available 	03/26/2009			
(H) 2nd Reading Passed as Amended	03/26/2009	65	34	
(H) 2nd Reading Motion to Amend Carried	03/26/2009	90	7	
(H) 2nd Reading Motion to Amend Failed	03/26/2009	21	77	
(H) 2nd Reading Motion to Amend Failed	03/26/2009	12	85	
(H) 2nd Reading Motion to Amend Failed	03/26/2009	18	79	
(H) 2nd Reading Motion to Amend Failed	03/26/2009	25	70	
(H) 2nd Reading Motion to Amend Failed	03/26/2009	26	69	
(H) Scheduled for 2nd Reading	03/26/2009			
(H) Fiscal Note Requested	03/25/2009			
(C) Printed - New Version Available 	03/25/2009			
(H) Committee Report--Bill Passed as Amended	03/25/2009 24			(H) Appropriations
(H) Committee Executive Action--Bill Passed as Amended	03/25/2009	18	2	(H) Appropriations
(H) Hearing	03/23/2009			(H) Appropriations
(H) Hearing	03/23/2009			(H) Appropriations
(H) Hearing	03/20/2009			(H) Appropriations <i>no minutes</i>
(H) Hearing	03/19/2009			(H) Appropriations
(H) Hearing	03/13/2009			(H) Joint Appropriations Subcommittee on Education
(H) Hearing	03/13/2009			(H) Joint Appropriations Subcommittee on General Government
(H) Hearing	03/13/2009	3/18		(H) Joint Appropriations Subcommittee on Long-Range Planning
(H) Hearing	03/13/2009			(H) Joint Approps Subcom on Judicial Branch, Law Enforcement, and Justice
(H) Hearing	03/13/2009		<i>no m.n.</i>	(H) Joint Appropriations Subcommittee on Natural Resources and Transportation
(H) Hearing	03/13/2009			(H) Joint Appropriations Subcommittee on Health and Human Services
(H) Hearing	03/12/2009			(H) Joint Approps Subcom on Judicial Branch, Law Enforcement, and Justice
(H) Hearing	03/12/2009			(H) Joint Appropriations Subcommittee on Education
(H) Hearing	03/12/2009			(H) Joint Appropriations Subcommittee on General Government
(H) Hearing	03/12/2009			(H) Joint Appropriations Subcommittee on Long-Range Planning
(H) Hearing	03/12/2009			(H) Joint Appropriations Subcommittee on Natural Resources and Transportation
(H) Hearing	03/12/2009			(H) Joint Appropriations Subcommittee on Health and Human Services
(H) Hearing	03/11/2009			(H) Appropriations <i>no minutes</i>
(C) Introduced Bill Text Available Electronically 	03/09/2009			
(H) First Reading	03/09/2009			
(H) Referred to Committee	03/09/2009			(H) Appropriations
(H) Introduced	03/09/2009			
(C) Draft Delivered to Requester	03/07/2009			
(C) Draft Ready for Delivery	03/07/2009			

(C) Draft in Assembly/Executive Director Review	03/07/2009			
(C) Draft in Input/Proofing	03/07/2009			
(C) Draft in Final Drafter Review	03/07/2009			
(C) Draft to Drafter - Edit Review [CMD]	03/07/2009			
(C) Draft in Legal Review	03/07/2009			
(C) Draft Back for Redo	03/07/2009			
(C) Draft Ready for Delivery	03/06/2009			
(C) Draft in Assembly/Executive Director Review	03/06/2009			
(C) Bill Draft Text Available Electronically	03/06/2009			
(C) Draft in Input/Proofing	03/06/2009			
(C) Draft to Drafter - Edit Review [CMD]	03/06/2009			
(C) Draft in Edit	03/06/2009			
(C) Draft in Legal Review	03/06/2009			
(C) Special Note	03/06/2009			
(C) Draft Back for Redo	03/06/2009			
(C) Draft in Final Drafter Review	03/06/2009			
(C) Draft in Input/Proofing	03/05/2009			
(C) Draft in Edit	03/05/2009			
(C) Draft in Legal Review	03/05/2009			
(C) Draft to Requester for Review	03/05/2009			
(C) Fiscal Note Probable	02/16/2009			
(C) Draft Request Received	02/16/2009			

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Sponsor, etc.

Sponsor, etc.	Last Name/Organization	First Name	Mi
Requester	(H) Appropriations Standing Committee		
Drafter	Petes	Greg	
By Request Of	(H) Appropriations Standing Committee		
Primary Sponsor	Sesso	Jon	C

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Subjects

Description	Revenue/Approp.	Vote Majority Req.	Subject Code
Appropriations (see also: State Finance)	Appropriation	Simple	APP
Federal Government		Simple	FED
Rule Making		Simple	RUL

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Additional Bill Information

Fiscal Note Probable: Yes

Preintroduction Required: N

Session Law Ch. Number: 489

DEADLINE

Category: Appropriation Bills

Transmittal Date: 03/26/2009

Return (with 2nd house amendments) Date: 04/15/2009

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Section Effective Dates

Section(s)	Effective Date	Date Qualified
All Sections	14-MAY-09	

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mt gov.

H BILL NO. 645

INTRODUCED BY

Sesso
(Primary Sponsor)

BY REQUEST OF THE HOUSE APPROPRIATIONS STANDING COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; PROVIDING APPROPRIATIONS OF FEDERAL FUNDS AND OTHER FUNDS AVAILABLE BECAUSE OF THE RECEIPT OF FEDERAL FUNDS; REVISING STATUTES TO IMPLEMENT THE RECEIPT AND EXPENDITURE OF THE FEDERAL FUNDS AND THE FUNDS AVAILABLE BECAUSE OF THE RECEIPT OF THE FEDERAL FUNDS; AUTHORIZING THE ADOPTION OF RETROACTIVE ADMINISTRATIVE RULES; REVISING THE ALLOCATION OF THE HOSPITAL BED TAX; REVISING INDIRECT COST RECOVERY LAWS; REVISING THE DEFINITIONS OF BASE BUDGET AND PRESENT LAW BASE FOR THE NEXT STATE BUDGET CYCLE; REVISING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS; PROVIDING FOR A PART-TIME WORK SEARCH AND PARTICIPATION IN WORKER TRAINING FOR UNEMPLOYMENT PURPOSES; REVISING THE USE OF THE HEALTHY KIDS STATE SPECIAL REVENUE ACCOUNT; REVISING THE USE OF THE HEALTH AND MEDICAID INITIATIVES ACCOUNT; CLARIFYING WATER POLLUTION LAWS AND THE USE OF FEDERAL FUNDS FOR WATER PROJECTS; REVISING THE ALTERNATIVE ENERGY LOAN PROGRAM; EXTENDING THE HOSPITAL BED TAX; AMENDING SECTIONS 2-4-306, 15-66-102, 17-1-106, 17-2-124, 17-7-102, 17-7-402, 20-25-427, 39-51-201, 52-3-115, 53-4-1115, 53-6-149, 53-6-1201, 75-5-1102, 75-5-1107, 75-6-202, 75-6-226, 75-25-101, AND 75-25-102, MCA, SECTION 20, CHAPTER 390, LAWS OF 2003, SECTIONS 4 AND 7, CHAPTER 606, LAWS OF 2005, SECTIONS 4, 5, 6, AND 8, CHAPTER 517, LAWS OF 2007, AND SECTION 9-B, CHAPTER 5, SPECIAL LAWS OF MAY 2007; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

The logo for the Legislative Services Division, featuring the text "Legislative Services Division" in a stylized font, with "Legislative" on the top line, "Services" in the middle, and "Division" at the bottom. The text is enclosed in a decorative border.

1
2 **Section 1.** Section 2-4-306, MCA, is amended to read:

3 **"2-4-306. Filing, format, and adoption and effective dates -- dissemination of emergency rules.** (1) Each agency shall file with the secretary
4 of state a copy of each rule adopted by it or a reference to the rule as contained in the proposal notice. A rule is adopted on the date that the adoption notice
5 is filed with the secretary of state and is effective on the date referred to in subsection (4), except that if the secretary of state requests corrections to the
6 adoption notice, the rule is adopted on the date that the revised notice is filed with the secretary of state.

7 (2) Pursuant to 2-15-401, the secretary of state may prescribe rules to effectively administer this chapter, including rules regarding the format,
8 style, and arrangement for notices and rules that are filed pursuant to this chapter, and may refuse to accept the filing of any notice or rule that is not in
9 compliance with this chapter. The secretary of state shall keep and maintain a permanent register of all notices and rules filed, including superseded and
10 repealed rules, that must be open to public inspection and shall provide copies of any notice or rule upon request of any person. Unless otherwise provided
11 by statute, the secretary of state may require the payment of the cost of providing copies.

12 (3) If the appropriate administrative rule review committee has conducted a poll of the legislature in accordance with 2-4-403, the results of the
13 poll must be published with the rule if the rule is adopted by the agency.

14 (4) ~~Each~~ Subject to subsection (6), each rule is effective after publication in the register, as provided in 2-4-312, except that:

15 (a) if a later date is required by statute or specified in the rule, the later date is the effective date;

16 (b) subject to applicable constitutional or statutory provisions:

17 (i) a temporary rule is effective immediately upon filing with the secretary of state or at a stated date following publication in the register; and

18 (ii) an emergency rule is effective at a stated date following publication in the register or immediately upon filing with the secretary of state if the
19 agency finds that this effective date is necessary because of imminent peril to the public health, safety, or welfare. The agency's finding and a brief
20 statement of reasons for the finding must be filed with the rule. The agency shall, in addition to the required publication in the register, take appropriate
21 and extraordinary measures to make emergency rules known to each person who may be affected by them.

(c) if, following written administrative rule review committee notification to an agency under 2-4-305(9), the committee meets and under 2-4-406(1) objects to all or some portion of a proposed rule before the proposed rule is adopted, the proposed rule or portion of the proposed rule objected to is not effective until the day after final adjournment of the regular session of the legislature that begins after the notice proposing the rule was published by the secretary of state, unless, following the committee's objection under 2-4-406(1):

(i) the committee withdraws its objection under 2-4-406 before the proposed rule is adopted; or

(ii) the rule or portion of a rule objected to is adopted with changes that in the opinion of a majority of the committee members, as communicated in writing to the committee presiding officer and staff, make it comply with the committee's objection and concerns.

(5) An Subject to subsection (6), an agency may not enforce, implement, or otherwise treat as effective a rule proposed or adopted by the agency until the effective date of the rule as provided in this section. Nothing in this subsection prohibits an agency from enforcing an established policy or practice of the agency that existed prior to the proposal or adoption of the rule as long as the policy or practice is within the scope of the agency's lawful authority.

(6) For purposes of implementing and complying with the American Recovery and Reinvestment Act of 2009, Public Law 111-5, an agency may adopt and implement a rule retroactive to February 17, 2009, provided that the retroactive applicability date is clearly stated in the agency's proposed and adopted rule."

Section 2. Section 15-66-102, MCA, is amended to read:

"15-66-102. (Temporary) Utilization fee for inpatient bed days. (1) Each hospital in the state shall pay to the department a utilization fee:

~~(a) in the amount of \$27.70 for each inpatient bed day between January 1, 2006, and June 30, 2007;~~

~~(b) in the amount of \$47 for each inpatient bed day between July 1, 2007, and December 31, 2007;~~

~~(c) in the amount of \$43 for each inpatient bed day between January 1, 2008, and December 31, 2008;~~

~~(d)~~(a) in the amount of \$48 for each inpatient bed day between January 1, 2009, and December 31, 2009; and

~~(e)~~(b) beginning January 1, 2010, in the amount of \$50 for each inpatient bed day.

(2) All Subject to subsection (3), all proceeds from the collection of utilization fees, including penalties and interest, must, in accordance with the provisions of 17-2-124, be deposited to the credit of the department of public health and human services in a state special revenue account as provided in 53-6-149.

(3) The following amounts must be deposited in the state general fund:

(a) for state fiscal year 2009, proceeds in excess of \$10,895,844;

(b) for state fiscal year 2010, proceeds in excess of \$11,018,627; and

(c) for state fiscal year 2011, proceeds in excess of \$16,213,433. (Void on occurrence of contingency--sec. 18, Ch. 390, L. 2003. Terminates June 30, 2009--secs. 5, 6, 8, Ch. 517, L. 2007.)"

Section 3. Section 17-1-106, MCA, is amended to read:

"17-1-106. Agency recovery of indirect costs. (1) An agency receiving nongeneral funds shall, in accordance with all applicable regulations, guidelines, or grant rules governing those funds, negotiate indirect cost reimbursement amounts and methodologies so that the agency may recover indirect costs.

(2) An Except for funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, an agency, except for a unit of the university system, that applies for or otherwise receives funds through federal or private grants or contracts that do not allow the agency to fully recover indirect costs shall notify and must receive written approval from its approving authority prior to accepting the funds.

(3) An agency, except for a unit of the university system, may not, as part of the grant or contract proposal or negotiation process, waive or otherwise forfeit the agency's ability to recover indirect costs that are otherwise allowable costs under the program, except for intra-agency or interagency grants or contracts. For grants or contracts for which the entity providing the funds limits administrative cost reimbursements or indirect cost recoveries by regulation, policy, or guideline, statewide and agency indirect costs paid originally from the general fund must be claimed first, other indirect costs must be claimed second, agency direct costs of administration must be claimed third, and program direct costs must be claimed last. For grants or contracts

1 for which there is no limit on indirect costs or administrative costs, indirect and administrative costs must be claimed first and direct program costs must
2 be claimed last.

3 (4) Each agency receiving federal funds and not directly charging a grant or program for the recovery of indirect costs shall submit an indirect cost
4 proposal to the appropriate federal agency. The department shall provide technical assistance to an agency on how to build an indirect cost proposal.

5 (5) Except as provided for a unit of the university system under 20-25-427, indirect costs recovered by an agency to pay the agency's indirect
6 costs under 17-1-105 must be deposited as provided in 17-1-105. All other indirect costs must be deposited in the fund from which the indirect costs were
7 originally paid."

8

9 **Section 4.** Section 17-2-124, MCA, is amended to read:

10 **"17-2-124. Disposition of money from certain designated license and other taxes.** (1) The state treasurer shall deposit to the credit of the
11 appropriate fund in accordance with the provisions of subsection (3) all money received from the collection of taxes and fees.

12 (2) The department of revenue shall deposit to the credit of the state general fund all money received from the collection of license taxes and all
13 net revenue and receipts from all sources, other than certain fees, under Title 16, chapters 1 through 4 and 6.

14 (3) ~~The~~ Except for the utilization fee collected under 15-66-102 during fiscal year 2009, the distribution of tax and fee revenue must be made
15 according to the provisions of the law governing allocation of the tax or fee that were in effect for the period in which the tax or fee revenue was recorded
16 for accounting purposes. Tax revenue must be recorded as prescribed by the department of administration, pursuant to 17-1-102(2) and (4), in accordance
17 with generally accepted accounting principles.

18 (4) All refunds of taxes or fees must be attributed to the funds in which the taxes or fees are currently being recorded. All refunds of interest and
19 penalties must be attributed to the funds in which the interest and penalties are currently being recorded."

20

21 **Section 5.** Section 17-7-102, MCA, is amended to read:

1 **"17-7-102. (Temporary) Definitions.** As used in this chapter, the following definitions apply:

2 (1) "Additional services" means different services or more of the same services.

3 (2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other
4 administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.

5 (3) "Approving authority" means:

6 (a) the governor or the governor's designated representative for executive branch agencies;

7 (b) the chief justice of the supreme court or the chief justice's designated representative for judicial branch agencies;

8 (c) the speaker for the house of representatives;

9 (d) the president for the senate;

10 (e) appropriate legislative committees or a designated representative for legislative branch agencies; or

11 (f) the board of regents of higher education or its designated representative for the university system.

12 (4) (a) "Base budget" means the resources for the operation of state government that are of an ongoing and nonextraordinary nature in the current
13 biennium. The base budget for the state general fund and state special revenue funds may not exceed that level of funding authorized by the previous
14 legislature. For the biennium beginning July 1, 2011, the term includes general fund and state special revenue fund appropriations reduced in House Bill
15 No. 2 or by [LC 2314, House Bill No. , 2009] because of the receipt of federal funds.

16 (b) The term does not include funding for water adjudication if the accountability benchmarks contained in 85-2-271 are not met.

17 (5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

18 (6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated circumstance that has occurred
19 subsequent to the time that an agency's appropriation was made, that was clearly not within the contemplation of the legislature and the governor, and
20 that affects one or more functions of a state agency and the agency's expenditure requirements for the performance of the function or functions.

21 (7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set forth in 17-8-101.

(8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next legislative session for legislative consideration.

(9) "New proposals" means requests to provide new nonmandated services, to change program services, to eliminate existing services, or to change sources of funding. For purposes of establishing the present law base, the distinction between new proposals and the adjustments to the base budget to develop the present law base is to be determined by the existence of constitutional or statutory requirements for the proposed expenditure. Any proposed increase or decrease that is not based on those requirements is considered a new proposal.

(10) (a) "Present law base" means that level of funding needed under present law to maintain operations and services at the level authorized by the previous legislature, including but not limited to:

(a)(i) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

(b)(ii) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

(c)(iii) inflationary or deflationary adjustments; and

(d)(iv) elimination of nonrecurring appropriations.

(b) The term does not include funds appropriated in [LC 2314, House Bill No. ___, 2009].

(11) "Program" means a principal organizational or budgetary unit within an agency.

(12) "Requesting agency" means the agency of state government that has requested a specific budget amendment.

(13) "University system unit" means the board of regents of higher education; office of the commissioner of higher education; university of Montana, with campuses at Missoula, Butte, Dillon, and Helena; Montana state university, with campuses at Bozeman, Billings, Havre, and Great Falls; the agricultural experiment station, with central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central offices at Butte; the fire services training school at Great Falls; and the community colleges at Miles City, Glendive, and Kalispell. (Terminates June 30, 2020--sec. 11, Ch. 319, L. 2007.)

17-7-102. (Effective July 1, 2020) Definitions. As used in this chapter, the following definitions apply:

(1) "Additional services" means different services or more of the same services.

1 (2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other
2 administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.

3 (3) "Approving authority" means:

4 (a) the governor or the governor's designated representative for executive branch agencies;

5 (b) the chief justice of the supreme court or the chief justice's designated representative for judicial branch agencies;

6 (c) the speaker for the house of representatives;

7 (d) the president for the senate;

8 (e) appropriate legislative committees or a designated representative for legislative branch agencies; or

9 (f) the board of regents of higher education or its designated representative for the university system.

10 (4) "Base budget" means the resources for the operation of state government that are of an ongoing and nonextraordinary nature in the current
11 biennium. The base budget for the state general fund and state special revenue funds may not exceed that level of funding authorized by the previous
12 legislature.

13 (5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

14 (6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated circumstance that has occurred
15 subsequent to the time that an agency's appropriation was made, that was clearly not within the contemplation of the legislature and the governor, and
16 that affects one or more functions of a state agency and the agency's expenditure requirements for the performance of the function or functions.

17 (7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set forth in 17-8-101.

18 (8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next legislative session for legislative consideration.

19 (9) "New proposals" means requests to provide new nonmandated services, to change program services, to eliminate existing services, or to
20 change sources of funding. For purposes of establishing the present law base, the distinction between new proposals and the adjustments to the base
21 budget to develop the present law base is to be determined by the existence of constitutional or statutory requirements for the proposed expenditure. Any

1 proposed increase or decrease that is not based on those requirements is considered a new proposal.

2 (10) "Present law base" means that level of funding needed under present law to maintain operations and services at the level authorized by the
3 previous legislature, including but not limited to:

4 (a) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

5 (b) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

6 (c) inflationary or deflationary adjustments; and

7 (d) elimination of nonrecurring appropriations.

8 (11) "Program" means a principal organizational or budgetary unit within an agency.

9 (12) "Requesting agency" means the agency of state government that has requested a specific budget amendment.

10 (13) "University system unit" means the board of regents of higher education; office of the commissioner of higher education; university of Montana,
11 with campuses at Missoula, Butte, Dillon, and Helena; Montana state university, with campuses at Bozeman, Billings, Havre, and Great Falls; the
12 agricultural experiment station, with central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the
13 cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central offices at Butte; the fire services training
14 school at Great Falls; and the community colleges at Miles City, Glendive, and Kalispell."

15
16 **Section 6.** Section 17-7-402, MCA, is amended to read:

17 **"17-7-402. Budget amendment requirements.** (1) Except as provided in subsection (7), a budget amendment may not be approved:

18 (a) by the approving authority, except a budget amendment to spend:

19 (i) additional federal revenue, including grant funds or other funds received pursuant to the American Recovery and Reinvestment Act of 2009,

20 Public Law 111-5;

21 (ii) additional tuition collected by the Montana university system;

- 1 (iii) additional revenue deposited in the internal service funds within the department or the office of the commissioner of higher education as a result
2 of increased service demands by state agencies;
- 3 (iv) Montana historical society enterprise revenue resulting from sales to the public;
- 4 (v) additional revenue that is deposited in funds other than the general fund and that is from the sale of fuel for those agencies participating in
5 the Montana public vehicle fueling program established by Executive Order 22-91;
- 6 (vi) revenue resulting from the sale of goods produced or manufactured by the industries program of an institution within the department of
7 corrections;
- 8 (vii) revenue collected for the administration of the state grain laboratory under the provisions of Title 80, chapter 4, part 7;
- 9 (viii) revenue collected for the Water Pollution Control State Revolving Fund Act under the provisions of Title 75, chapter 5, part 11;
- 10 (ix) revenue collected for the Drinking Water State Revolving Fund Act under the provisions of Title 75, chapter 6, part 2;
- 11 (x) state special revenue adjustments required to allocate costs for leave or terminal leave within an agency in accordance with federal circular
12 A-87; or
- 13 (xi) revenue generated from fees collected by the department of justice for dissemination of criminal history record information pursuant to Title
14 44, chapter 5, part 3;
- 15 (b) by the approving authority if the budget amendment contains any significant ascertainable commitment for any present or future increased
16 general fund support;
- 17 (c) by the approving authority for the expenditure of money in the state special revenue fund unless:
- 18 (i) an emergency justifies the expenditure;
- 19 (ii) the expenditure is authorized under subsection (1)(a); or
- 20 (iii) the expenditure is exempt under subsection (5);
- 21 (d) by the approving authority unless it will provide additional services;

(e) by the approving authority for any matter other than the receipt of federal funds pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, that are not allocated or appropriated in [LC 2314, House Bill No. , 2009], of which the requesting agency had knowledge at a time when the proposal could have been presented to an appropriation subcommittee, the house appropriations committee, or the senate finance and claims committee of the most recent legislative session open to that matter, except when the legislative finance committee is given specific notice by the approving authority that significant identifiable events, specific to Montana and pursuant to provisions or requirements of Montana state law, have occurred since the matter was raised with or presented for consideration by the legislature; or

(f) to extend beyond June 30 of the last year of any biennium, except that budget amendments for federal funds may extend to the end of the federal fiscal year.

(2) A general fund loan made pursuant to 17-2-107 does not constitute a significant ascertainable commitment of present general fund support.

(3) Subject to subsection (1)(f), all budget amendments must itemize planned expenditures by fiscal year.

(4) Each budget amendment must be submitted by the approving authority to the budget director and the legislative fiscal analyst.

(5) Money from nonstate or nonfederal sources that would be deposited in the state special revenue fund and that is restricted by law or by the terms of a written agreement, such as a contract, trust agreement, or donation, is exempt from the requirements of this part.

(6) An appropriation for a nonrecurring item that would usually be the subject of a budget amendment must be submitted to the legislature for approval during a legislative session between January 1 and the senate hearing on the budget amendment bill. The bill may include authority to spend money in the current fiscal year and in both fiscal years of the next biennium.

(7) A budget amendment to spend state funds, other than from the general fund, required for matching funds in order to receive a grant is exempt from the provisions of subsection (1)."

Section 7. Section 20-25-427, MCA, is amended to read:

"20-25-427. Allocation of indirect cost reimbursements. Any Subject to the conditions contained in the American Recovery and Reinvestment

1 Act of 2009, Public Law 111-5, any reimbursement for indirect costs associated with a grant to or contract with the Montana university system or any of
2 its units is allocated to the designated subfund of the current fund, as provided in 17-2-102, for distribution to the unit receiving the grant or under the
3 contract."

4
5 **Section 8.** Section 39-51-201, MCA, is amended to read:

6 **"39-51-201. General definitions.** As used in this chapter, unless the context clearly requires otherwise, the following definitions apply:

7 (1) "Annual payroll" means the total amount of wages paid by an employer, regardless of the time of payment, for employment during a calendar
8 year.

9 (2) "Base period" means:

10 (a) the first 4 of the last 5 completed calendar quarters immediately preceding the first day of an individual's benefit year;

11 (b) if the individual does not have sufficient wages to qualify for benefits under subsection (2)(a), the 4 most recently completed calendar quarters
12 immediately preceding the first day of the individual's benefit year;

13 (c) However, in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the base
14 period is the period applicable under the unemployment law of the paying state; or

15 (d) For for an individual who fails to meet the qualifications of 39-51-2105 or a similar statute of another state because of a temporary total
16 disability, as defined in 39-71-116, or a similar statute of another state or the United States, the base period means the first 4 quarters of the last 5
17 completed calendar quarters preceding the disability if a claim for unemployment benefits is filed within 24 months of the date on which the individual's
18 disability was incurred.

19 (3) "Benefit year", with respect to any individual, means the 52-consecutive-week period beginning with the first day of the calendar week in which
20 the individual files a valid claim for benefits, except that the benefit year is 53 weeks if filing a new valid claim would result in overlapping any quarter of
21 the base year of a previously filed new claim. A subsequent benefit year may not be established until the expiration of the current benefit year. However,

1 in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the base period is the period
2 applicable under the unemployment law of the paying state.

3 (4) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to the individual's unemployment.

4 (5) "Board" means the board of labor appeals provided for in Title 2, chapter 15, part 17.

5 (6) "Calendar quarter" means the period of 3 consecutive calendar months ending on March 31, June 30, September 30, or December 31.

6 (7) "Contributions" means the money payments to the state unemployment insurance fund required by this chapter but does not include
7 assessments under 39-51-404.

8 (8) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

9 (9) (a) "Domestic or household service" means employment of persons other than members of the household for the purpose of tending to the
10 aid and comfort of the employer or members of the employer's family, including but not limited to housecleaning and yard work.

11 (b) The term does not include employment beyond the scope of normal household or domestic duties, such as home health care or domiciliary
12 care.

13 (10) "Employing unit" means any individual or organization, including the state government and any of its political subdivisions or instrumentalities
14 or an Indian tribe or tribal unit, partnership, association, trust, estate, joint-stock company, insurance company, limited liability company or limited liability
15 partnership that has filed with the secretary of state, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or the
16 trustee's successor, or legal representative of a deceased person in whose employ one or more individuals perform or performed services within this state,
17 except as provided under 39-51-204(1)(a) and (1)(q). All individuals performing services within this state for any employing unit that maintains two or more
18 separate establishments within this state are considered to be employed by a single employing unit for all the purposes of this chapter. Each individual
19 employed to perform or assist in performing the work of any agent or employee of an employing unit is considered to be employed by the employing unit
20 for the purposes of this chapter, whether the individual was hired or paid directly by the employing unit or by the agent or employee, provided that the
21 employing unit has actual or constructive knowledge of the work.

1 (11) "Employment office" means a free public employment office or branch of an office operated by this state or maintained as a part of a
2 state-controlled system of public employment offices or other free public employment offices operated and maintained by the United States government
3 or its instrumentalities as the department may approve.

4 (12) "Fund" means the unemployment insurance fund established by this chapter to which all contributions and payments in lieu of contributions
5 must be paid and from which all benefits provided under this chapter must be paid.

6 (13) "Gross misconduct" means a criminal act, other than a violation of a motor vehicle traffic law, for which an individual has been convicted in
7 a criminal court or has admitted or conduct that demonstrates a flagrant and wanton disregard of and for the rights, title, or interest of a fellow employee
8 or the employer.

9 (14) "Hospital" means an institution that has been licensed, certified, or approved by the state as a hospital.

10 (15) "Independent contractor" means an individual working under an independent contractor exemption certificate provided for in 39-71-417.

11 (16) "Indian tribe" means an Indian tribe as defined in the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450b(e).

12 (17) (a) "Institution of higher education", for the purposes of this part, means an educational institution that:

13 (i) admits as regular students only individuals having a certificate of graduation from a high school or the recognized equivalent of a certificate;

14 (ii) is legally authorized in this state to provide a program of education beyond high school;

15 (iii) provides an educational program for which the institution awards a bachelor's or higher degree or provides a program that is acceptable for
16 full credit toward a bachelor's or higher degree, a program of postgraduate or postdoctoral studies, or a program of training to prepare students for gainful
17 employment in a recognized occupation; and

18 (iv) is a public or other nonprofit institution.

19 (b) All universities in this state are institutions of higher education for purposes of this part.

20 (18) "Licensed and practicing health care provider" means a health care provider who is primarily responsible for the treatment of a person seeking
21 unemployment insurance benefits and who is:

1 (a) licensed to practice in this state as:

2 (i) a physician under Title 37, chapter 3;

3 (ii) a dentist under Title 37, chapter 4;

4 (iii) an advanced practice registered nurse under Title 37, chapter 8, and recognized as a nurse practitioner or certified nurse specialist by the board
5 of nursing, established in 2-15-1734;

6 (iv) a physical therapist under Title 37, chapter 11;

7 (v) a chiropractor under Title 37, chapter 12;

8 (vi) a clinical psychologist under Title 37, chapter 17; or

9 (vii) a physician assistant under Title 37, chapter 20; or

10 (b) with respect to a person seeking unemployment insurance benefits who resides outside of this state, a health care provider licensed or certified
11 as a member of one of the professions listed in subsection (18)(a) in the jurisdiction where the person seeking the benefit lives.

12 (19) "No-additional-cost service" has the meaning provided in section 132 of the Internal Revenue Code, 26 U.S.C. 132.

13 (20) "State" includes, in addition to the states of the United States of America, the District of Columbia, Puerto Rico, the Virgin Islands, and Canada.

14 (21) "Taxes" means contributions and assessments required under this chapter but does not include penalties or interest for past-due or unpaid
15 contributions or assessments.

16 (22) "Tribal unit" means an Indian tribe and any tribal subdivision or subsidiary or any business enterprise that is wholly owned by that tribe.

17 (23) "Unemployment insurance administration fund" means the unemployment insurance administration fund established by this chapter from which
18 administrative expenses under this chapter must be paid.

19 (24) (a) "Wages", unless specifically exempted under subsection (24)(b), means all remuneration payable for personal services, including the cash
20 value of all remuneration paid in any medium other than cash. The reasonable cash value of remuneration payable in any medium other than cash must
21 be estimated and determined pursuant to rules prescribed by the department. The term includes but is not limited to:

1 (i) commissions, bonuses, and remuneration paid for overtime work, holidays, vacations, and sickness periods;

2 (ii) severance or continuation pay, backpay, and any similar pay made for or in regard to previous service by the employee for the employer, other
3 than retirement or pension benefits from a qualified plan; and

4 (iii) tips or other gratuities received by the employee, to the extent that the tips or gratuities are documented by the employee to the employer for
5 tax purposes.

6 (b) The term does not include:

7 (i) the amount of any payment made by the employer for employees, if the payment was made for:

8 (A) retirement or pension pursuant to a qualified plan as defined under the provisions of the Internal Revenue Code;

9 (B) sickness or accident disability under a workers' compensation policy;

10 (C) medical or hospitalization expenses in connection with sickness or accident disability, including health insurance for the employee or the
11 employee's immediate family; or

12 (D) death, including life insurance for the employee or the employee's immediate family;

13 (ii) employee expense reimbursements or allowances for meals, lodging, travel, subsistence, or other expenses, as set forth in department rules;

14 (iii) a no-additional-cost service; or

15 (iv) wage subsidies received pursuant to the alternative trade adjustment assistance for older workers program, 19 U.S.C. 2318.

16 (25) "Week" means a period of 7 consecutive calendar days ending at midnight on Saturday.

17 (26) "Weekly benefit amount" means the amount of benefits that an individual would be entitled to receive for 1 week of total unemployment."
18

19 **NEW SECTION. Section 9. Part-time work search -- eligibility for benefits.** (1) Except as provided in subsection (2), an individual may not
20 be denied regular unemployment compensation benefits solely because the individual is seeking only part-time work, as that term is defined in rules
21 adopted by the department.

(2) In order to be qualified for benefits under subsection (1), the majority of the individual's workweeks in the base period must have been part-time.

NEW SECTION. Section 10. Participation in worker training program -- eligibility for training benefits. (1) Subject to the requirements of this section, training benefits are available to an individual who has exhausted all rights to regular unemployment compensation benefits and who is attending an approved worker training program.

(2) An unemployed individual who is participating and making satisfactory progress in a state-approved training program or a job training program authorized by the Workforce Investment Act of 1988 that is necessary for the individual's reemployment is eligible to receive training benefits if, as determined by the department:

(a) the individual was:

(i) separated from a declining occupation; or

(ii) involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations at the individual's place of employment;

(b) the training enhances the individual's marketable skills and earning power; and

(c) the training is targeted to those industries or skills that are in demand within the labor market.

(3) Benefits must be paid under this section at the individual's average weekly benefit amount during the applicable benefit year and under the same terms and conditions as regular benefits.

(4) Benefits are payable under this section only for weeks during which the individual is attending an approved training program.

(5) An employer's account may not be charged for payment of benefits to an individual under this section.

Section 11. Section 52-3-115, MCA, is amended to read:

"52-3-115. Older Montanans trust fund. (1) There is an older Montanans trust fund within the permanent fund type. The trust fund is subject

1 to legislative appropriation as provided in this section.

2 (2) (a) The money in the fund may be used to create new, innovative services or to expand existing services for the benefit of Montana residents
3 60 years of age or older that will enable those Montanans to live an independent lifestyle in the least restrictive setting and will promote the dignity of and
4 respect for those Montanans. The interest and income produced by the trust fund and appropriated to the department by the legislature is intended to
5 increase services referred to in this subsection and not to supplant other sources of revenue for those programs in the trended traditional level, ~~as used~~
6 ~~in 53-6-1201~~, of appropriations for those services.

7 (b) As used in subsection (2)(a), the phrase "trended traditional level of appropriations" means the appropriation amounts, including supplemental
8 appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.

9 (3) The department may accept contributions and gifts for the trust fund in money or other forms, and when accepted, the contributions and gifts
10 must be deposited in the trust fund.

11 (4) Interest and income earned on money in the trust fund must be retained within the fund except as provided in this section. Until the year 2015,
12 if assets in the fund reach the following amounts, money may be appropriated by the legislature and used in the following amounts for the programs
13 specified in subsection (2):

14 (a) When the fund balance reaches \$20 million, 50% of the interest earned may be appropriated.

15 (b) When the fund balance reaches \$50 million, 60% of the interest earned may be appropriated.

16 (c) When the fund balance reaches \$100 million, 80% of the interest earned may be appropriated.

17 (5) On and after January 1, 2015, 90% of the interest earned on the trust fund may be appropriated for the programs specified in subsection (2).

18 (6) The department shall provide to the legislature a biennial report of the expenditures of the money appropriated from the older Montanans trust
19 fund as provided in 5-11-210."

20

21 **Section 12.** Section 53-4-1115, MCA, is amended to read:

1 **"53-4-1115. Special revenue account.** (1) There is an account in the state special revenue fund to the credit of the department for the purposes
2 provided in subsection (2). There must be paid into the account the amounts collected under 33-2-708(3)(b). Any interest or income derived from the
3 account must be deposited in the account.

4 (2) Money in the account:

5 (a) is to be used solely to cover ~~the number of additional~~ enrollees in the plan ~~that exceeds the number of enrollees as of November 4, 2008;~~ within
6 the limits provided in 53-4-1004, 53-6-131, and this part, and to cover the costs of enrollment, including premium assistance, under 53-4-1108(1), and to
7 pay administrative costs associated with expanded eligibility, and to establish and maintain a reserve; and

8 (b) may be used only to match federal funds available under the children's health insurance program and the Montana medicaid program.

9 (3) The unexpended balance of an appropriation from the account must remain in the account and may be used only for the purposes stated in
10 subsection (2).

11 (4) The special revenue account does not affect and is not exclusive of any other sources of funding for the programs described in 53-4-1104(2),
12 including the special revenue account provided for in 53-4-1012.

13 (5) If the department determines that there is insufficient funding for the purposes of subsection (2), it may reduce eligibility requirements for
14 participants in the children's health insurance program as provided in 53-4-1004(4)."

15
16 **Section 13.** Section 53-6-149, MCA, is amended to read:

17 **"53-6-149. (Temporary) State special revenue fund account -- administration.** (1) There is a hospital medicaid reimbursement account in
18 the state special revenue fund provided for in 17-2-102.

19 (2) ~~All~~ Except as provided in 15-66-102(3), all money collected under 15-66-102 must be deposited in the account.

20 (3) Money in the account must be used by the department of public health and human services to provide funding for increases in medicaid
21 payments to hospitals and for the costs of collection of the fee and other administrative activities associated with the implementation of increases in the

1 medicaid payments to hospitals. (Terminates June 30, 2009--sec. 5, Ch. 517, L. 2007.)"

2

3 **Section 14.** Section 53-6-1201, MCA, is amended to read:

4 **"53-6-1201. Special revenue fund -- health and medicaid initiatives.** (1) There is a health and medicaid initiatives account in the state special
5 revenue fund established by 17-2-102. This account is to be administered by the department of public health and human services.

6 (2) There must be deposited in the account:

7 (a) money from cigarette taxes deposited under 16-11-119(1)(c);

8 (b) money from taxes on tobacco products other than cigarettes deposited under 16-11-119(3)(b); and

9 (c) any interest and income earned on the account.

10 (3) This account may be used only to provide funding for:

11 (a) the state funds necessary to take full advantage of available federal matching funds in order to maximize enrollment of eligible children under
12 the children's health insurance program, provided for under Title 53, chapter 4, part 10, and to provide outreach to the eligible children; ~~The increased~~
13 ~~revenue in this account is intended to increase enrollment rates for eligible children in the program and not to be used to support existing levels of~~
14 ~~enrollment based upon appropriations for the biennium ending June 30, 2005.~~

15 (b) a new need-based prescription drug program established by the legislature for children, seniors, chronically ill persons, and disabled persons
16 that does not supplant similar services provided under any existing program;

17 (c) increased medicaid services and medicaid provider rates; ~~The increased revenue is intended to increase medicaid services and medicaid~~
18 ~~provider rates and not to supplant the general fund in the trended traditional level of appropriation for medicaid services and medicaid provider rates.~~

19 (d) an offset to loss of revenue to the general fund as a result of new tax credits;

20 (e) funding new programs to assist eligible small employers with the costs of providing health insurance benefits to eligible employees;

21 (f) the cost of administering the tax credit, the purchasing pool, and the premium incentive payments and premium assistance payments as

1 provided in Title 33, chapter 22, part 20; and

2 (g) providing a state match for the medicaid program for premium incentive payments or premium assistance payments to the extent that a waiver
3 is granted by federal law as provided in 53-2-216.

4 (4) (a) ~~Except for \$1 million appropriated for the startup costs of 53-6-1004 and 53-6-1005, the money appropriated for fiscal year 2006 for the~~
5 ~~programs in subsections (3)(b) and (3)(d) through (3)(g) may not be expended until the office of budget and program planning has certified that \$25 million~~
6 ~~has been deposited in the account provided for in this section or December 1, 2005, whichever occurs earlier.~~

7 ~~-----~~ (b) On or before July 1, the budget director shall calculate a balance required to sustain each program in subsection (3) for each fiscal year of
8 the biennium. If the budget director certifies that the reserve balance will be sufficient, then the agencies may expend the revenue for the programs as
9 appropriated. If the budget director determines that the reserve balance of the revenue will not support the level of appropriation, the budget director shall
10 notify each agency. Upon receipt of the notification, the agency shall adjust the operating budget for the program to reflect the available revenue as
11 determined by the budget director.

12 (c) ~~(b)~~ Until the programs or credits described in subsections (3)(b) and (3)(d) through (3)(g) are established, the funding must be used exclusively
13 for the purposes described in subsections (3)(a) and (3)(c).

14 ~~(5) The phrase "trended traditional level of appropriation", as used in subsection (3)(c), means the appropriation amounts, including supplemental~~
15 ~~appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.~~

16 ~~(6)~~ (5) The department of public health and human services may adopt rules to implement this section."
17

18 **Section 15.** Section 75-5-1102, MCA, is amended to read:

19 **"75-5-1102. Definitions.** Unless the context requires otherwise, in this part, the following definitions apply:

20 (1) "Administrative costs" means costs incurred by the department and the department of natural resources and conservation in the administration
21 of the program, including but not limited to costs of servicing loans and issuing debt; program startup costs; financial, management, and legal consulting

1 fees; and reimbursement costs for support services from other state agencies.

2 (2) "Cost" means, with reference to a project, all capital costs incurred or to be incurred by a municipality or a private person, including but not
3 limited to engineering, construction, financing, and other fees, interest during construction, and a reasonable allowance for contingencies to the extent
4 permitted by the federal act and regulations promulgated under the federal act.

5 (3) "Federal act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, 33 U.S.C. 1251 through 1387, as amended,
6 including conditions and exclusions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

7 (4) "Intended use plan" means the annual plan adopted by the department and submitted to the environmental protection agency that describes
8 how the state intends to use the money in the revolving fund.

9 (5) "Loan" means a loan of money from the revolving fund to a municipality or a private person.

10 (6) "Municipality" means any state agency, city, town, or other public body created pursuant to state law, including an authority as defined in
11 75-6-304.

12 (7) "Private person" means an individual, corporation, partnership, or other nongovernmental legal entity.

13 (8) "Program" means the water pollution control state revolving fund program established by this part.

14 (9) "Project" means an activity that is eligible for financing by the program under the federal act, including treatment works, as defined under section
15 1292 of the federal act (33 U.S.C. 1292), and nonpoint source pollution control under section 1329 of the federal act (33 U.S.C. 1329), and for which a
16 municipality or private person makes an application for a loan or other financial assistance.

17 (10) "Revolving fund" means the fund established by 75-5-1106."

18
19 **Section 16.** Section 75-5-1107, MCA, is amended to read:

20 **"75-5-1107. Uses of revolving fund. (1)** Money in the revolving fund must be used to:

21 ~~(4)~~(a) make loans to municipalities to finance all or a portion of the cost of a project and to make loans to private persons to finance all or a portion

1 of the cost of nonpoint source pollution control projects;

2 (2)(b) buy or refinance debt obligations of municipalities that were issued to finance projects within the state at or below market rates, provided
3 that the obligations were incurred after March 7, 1985;

4 (3)(c) guarantee or purchase insurance for obligations of municipalities that were issued to finance projects in order to enhance credit or reduce
5 interest rates;

6 (4)(d) provide a source of revenue or security for general obligation bonds the proceeds of which are deposited in the revolving fund;

7 (5)(e) provide loan guarantees for similar revolving funds established by municipalities;

8 (6)(f) earn interest on fund accounts; and

9 (7)(g) pay reasonable administrative costs of the program not to exceed 4% of all federal grant awards to the fund or the maximum amount allowed
10 under the federal act.

11 (2) Money received by the state under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, as capitalization grants for a
12 state revolving fund may be used by the department or the department of natural resources and conservation to provide additional subsidization to eligible
13 recipients in the form of forgiveness of the principal of a loan to the extent permitted or required by federal law and subject to satisfaction of conditions on
14 loans described in 75-5-1113."

15
16 **Section 17.** Section 75-6-202, MCA, is amended to read:

17 **"75-6-202. Definitions.** Unless the context requires otherwise, in this part, the following definitions apply:

18 (1) "Administrative costs" means costs incurred by the department and the department of natural resources and conservation in the administration
19 of the program, including but not limited to:

20 (a) costs of servicing loans and issuing debt;

21 (b) program startup costs;

1 (c) financial, management, and legal consulting fees; and

2 (d) reimbursement costs for support services from other state agencies.

3 (2) "Community water system" means a public water system that is owned by a private person or a municipality and that serves at least 15 service
4 connections used by year-round residents of the area served by the system or regularly serves at least 25 year-round residents. The term does not include
5 a public water system that is owned by the federal government.

6 (3) "Cost" means, with reference to a project, all capital costs incurred or to be incurred for a public water system, including but not limited to:

7 (a) engineering, financing, and other fees;

8 (b) interest during construction;

9 (c) construction; and

10 (d) a reasonable allowance for contingencies to the extent permitted by the federal act and rules promulgated under the federal act.

11 (4) "Department" means the department of environmental quality provided for in 2-15-3501.

12 (5) "Disadvantaged community" means one in which the service area of a public water system meets the affordability criteria established by rule
13 adopted pursuant to this part.

14 (6) "Federal act" means the federal Safe Drinking Water Act, 42 U.S.C. 300f, et seq., as that act read on May 5, 1997, and including conditions
15 and exclusions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

16 (7) "Indian tribe" means an Indian tribe that has a federally recognized governing body carrying out substantial governmental duties and powers
17 over any area.

18 (8) "Intended use plan" means the annual plan adopted by the department and submitted to the environmental protection agency that describes
19 how the state intends to use the money in the revolving fund.

20 (9) "Loan" means a loan of money from the revolving fund for project costs.

21 (10) "Municipality" means a state agency, city, town, or other public body, including an authority as defined in 75-6-304, created pursuant to state

1 law or an Indian tribe.

2 (11) "Noncommunity water system" means a public water system that is not a community water system.

3 (12) "Nonprofit noncommunity water system" means a noncommunity water system owned by an organization that is organized under Montana
4 law and that qualifies as a tax-exempt organization under the provisions of section 501(c)(3) of the Internal Revenue Code.

5 (13) "Private person" means an individual, corporation, partnership, or other nongovernmental legal entity.

6 (14) "Program" means the drinking water state revolving fund program established by this part.

7 (15) "Project" means improvements or activities that are:

8 (a) to be undertaken for a public water system and that are of a type that will facilitate compliance with the national primary drinking water
9 regulations applicable to the system; or

10 (b) to further the health protection objectives of the federal act.

11 (16) "Public water system" means a system for the provision to the public of water for human consumption, through pipes or other constructed
12 conveyances, if that system has at least 15 service connections or regularly serves at least 25 individuals. The term includes any collection, treatment,
13 storage, and distribution facilities under control of an operator of a system that are used primarily in connection with a system and any collection or
14 pretreatment storage facilities not under control of an operator and that are used primarily in connection with a system.

15 (17) "Revolving fund" means the drinking water state revolving fund established by 75-6-211."
16

17 **Section 18.** Section 75-6-226, MCA, is amended to read:

18 **"75-6-226. Loan subsidy for disadvantaged communities.** (1) Notwithstanding any other provision in this part, if the program makes a loan
19 pursuant to 75-6-221(1) to a disadvantaged community or to a community that the department expects to become a disadvantaged community as a result
20 of a proposed project, the department may provide additional subsidization in the form of a reduced interest rate, the forgiveness of principal, or a
21 combination of both.

(2) The total annual amount of loan subsidies made by the department pursuant to subsection (1) may not exceed 30% of the capitalization grant received by the department for each fiscal year.

(3) Notwithstanding any other provision in this part, money received by the state under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, as capitalization grants for a state revolving fund may be used by the department or the department of natural resources and conservation to provide additional subsidization to eligible recipients in the form of forgiveness of the principal of a loan to the extent permitted or required by federal law and subject to satisfaction of conditions on loans described in 75-6-224."

Section 19. Section 75-25-101, MCA, is amended to read:

"75-25-101. Alternative energy revolving loan account. (1) There is a special revenue account called the alternative energy revolving loan account to the credit of the department of environmental quality.

(2) The alternative energy revolving loan account consists of money deposited into the account from air quality penalties from 75-2-401 and 75-2-413 and money from any other source. Any interest earned by the account and any interest that is generated from a loan repayment must be deposited into the account and used to sustain the program.

(3) Funds from the alternative energy revolving loan account may be used to provide loans to individuals, small businesses, units of local government, units of the university system, and nonprofit organizations for the purpose of building alternative energy systems, as defined in 15-32-102:

(a) to generate energy for their own use;

(b) for net metering as defined in 69-8-103; and

(c) for capital investments by those entities for energy conservation purposes, as defined in 15-32-102, when done in conjunction with an alternative energy system.

(4) (a) The Except as provided in subsection (4)(b), the amount of a loan may not exceed \$40,000, and the loan must be repaid within 10 years.

(b) For loans made using money obtained by the department of environmental quality from the federal government under the American

1 Reinvestment and Recovery Act of 2009, Public Law 111-5, the amount of a loan may not exceed \$100,000 and the loan must be repaid within 15 years.
2 The department may establish a loan limit of less than \$100,000 based on the amount of money received from the federal government and the department's
3 projected number of applications and application amounts."
4

5 **Section 20.** Section 75-25-102, MCA, is amended to read:

6 **"75-25-102. Administration of revolving loan account -- rulemaking authority.** (1) The department of environmental quality shall adopt rules
7 establishing:

8 (a) eligibility criteria, including criteria for defining residences, small businesses, and nonprofit organizations, criteria for defining capital investments
9 for energy conservation purposes, ownership of the alternative energy facility, financial capacity to repay the loans, estimated return on investment in the
10 alternative energy and energy conservation, and other matters that the department considers necessary to ensure repayment of loans and to encourage
11 maximum use of the fund for alternative energy and net metering uses;

12 (b) processes and procedures for disbursing loans, including the agencies or organizations that are allowed to process the loan application for
13 the department; and

14 (c) terms and conditions for the loans, including repayment schedules and interest.

15 (2) The department shall solicit assistance in the development and operation of the program from individuals familiar with financial services and
16 persons knowledgeable in alternative energy systems.

17 (3) Administrative costs charged to the account may not exceed 10% of the total loans or \$23,000 a year, whichever is greater. Legal fees and
18 costs associated with collection of debt on principal are not considered administrative costs.

19 (4) ~~The loan repayment period may not exceed 10 years.~~ The loans must be made at a low interest rate. The department may set the interest
20 rate at an amount that will cover its administrative costs, but the rate may not be less than 1% a year. The department may seek recovery of the amount
21 of principal loaned in the event of default."

1
2 **Section 21.** Section 20, Chapter 390, Laws of 2003, is amended to read:

3 **"Section 20. Termination.** [This act] terminates June 30, ~~2005~~ 2011."

4
5 **Section 22.** Section 4, Chapter 606, Laws of 2005, is amended to read:

6 **"Section 4.** Section 20, Chapter 390, Laws of 2003, is amended to read:

7 **"Section 20. Termination.** [This act] terminates June 30, ~~2005~~ 2007 2011.""

8
9 **Section 23.** Section 7, Chapter 606, Laws of 2005, is amended to read:

10 **"Section 7. Termination.** [This act] terminates June 30, ~~2007~~ 2011."

11
12 **Section 24.** Section 4, Chapter 517, Laws of 2007, is amended to read:

13 **"Section 4.** Section 20, Chapter 390, Laws of 2003, is amended to read:

14 **"Section 20. Termination.** [This act] terminates June 30, ~~2005~~ 2009 2011.""

15
16 **Section 25.** Section 5, Chapter 517, Laws of 2007, is amended to read:

17 **"Section 5.** Section 4, Chapter 606, Laws of 2005, is amended to read:

18 **"Section 4.** Section 20, Chapter 390, Laws of 2003, is amended to read:

19 **"Section 20. Termination.** [This act] terminates June 30, ~~2005~~ 2007 ~~2009~~ 2011.""

20
21 **Section 26.** Section 6, Chapter 517, Laws of 2007, is amended to read:

"Section 6. Section 7, Chapter 606, Laws of 2005, is amended to read:

"Section 7. Termination. [This act] terminates June 30, ~~2007~~ 2009 2011."

Section 27. Section 8, Chapter 517, Laws of 2007, is amended to read:

"Section 8. Termination. [Sections 1 through 3] terminate June 30, ~~2009~~ 2011."

Section 28. Section 9-B, items 4b and 10, Chapter 5, Special Laws of May 2007, is amended to read:

Fiscal 2008Fiscal 2009

	State	Federal					State	Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
"4.												
Child Support Enforcement Division (05)												
b.												
Child Support Deficit Reduction Act (Restricted/OTO)												
1,620,765	0	0	0	0	1,620,765	<u>2,154,589</u>	0	0	0	0	<u>2,154,589</u>	
						<u>507,675</u>	0	0	0	0	<u>507,675</u>	
10.												
Health Resources Division (11)												
123,698,117	19,947,092	341,190,786	0	0	484,835,995	<u>134,719,465</u>	19,749,092	367,644,813	0	0	<u>522,113,370</u>	
						<u>81,719,465</u>					<u>469,113,370</u>	
a.												
Health Resources Division Administration/Reporting												

1	232,550	12,726	281,657	0	0	526,933	234,655	12,841	284,208	0	0	531,704
2	b.	Direct Care Worker Wage Increase (Restricted)										
3	18,036	300,000	695,142	0	0	1,013,178	19,050	300,000	694,128	0	0	1,013,178
4	c.	Provider Rate Increase (Restricted)										
5	0	1,620,277	2,100,682	0	0	3,720,959	1,222,681	1,646,566	4,247,683	0	0	7,116,930
6	d.	Hospital Utilization Fee (Restricted)										
7	0	17,503,843	38,222,192	0	0	55,726,035	0	20,324,595	44,183,150	0	0	64,507,745
8	e.	Family Planning Waiver (OTO)										
9	348,297	0	2,743,296	0	0	3,091,593	347,669	0	2,742,669	0	0	3,090,338
10	f.	Prescription Drug Discount Program (Restricted)										
11	0	1,389,441	0	0	0	1,389,441	0	2,037,846	0	0	0	2,037,846
12	g.	Equalize Campus-Based Rates (Restricted)										
13	23,785	0	69,943	0	0	93,728	54,261	0	159,558	0	0	213,819
14	h.	Raise Physician Reimbursement (Restricted)										
15	0	0	0	0	0	0	520,306	0	1,522,928	0	0	2,043,234
16	i.	Medicaid Eligibility for Pregnant Women to 150% (Restricted)										
17	0	943,117	2,061,397	0	0	3,004,514	0	1,216,532	2,646,701	0	0	3,863,233
18	j.	Revise Medically Needy Income Level (Restricted)										
19	371,647	0	1,092,864	0	0	1,464,511	743,295	0	2,175,611	0	0	2,918,906
20	k.	Big Sky Rx Premium Assistance (Restricted/Biennial)										
21	0	9,674,920	0	0	0	9,674,920	0	0	0	0	0	0

1 The department may allocate the distribution of funds among programs and line items that contain medicaid or Title IV-E funding."

2
3 COORDINATION SECTION. Section 29. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 2 is passed and approved

4 and if [this act] appropriates funds:

5 (a) to the department of administration for high performance computing in the amount of \$2 million, then the general fund appropriation for that
6 purpose in House Bill No. 2 is void;

7 (b) to the department of commerce for:

8 (i) worker training in the amount of \$7,994,722, then the general fund appropriation for that purpose in House Bill No. 2 is void;

9 (ii) tribal economic development in the amount of \$1,596,992, then the general fund appropriation for that purpose in House Bill No. 2 is void;

10 (iii) the energy promotion and development division in the amount of \$910,000, then the general fund appropriation for that purpose in House Bill
11 No. 2 is void; and

12 (iv) the main street program in the amount of \$250,000, then the general fund appropriation for that purpose in House Bill No. 2 is void;

13 (c) to the department of agriculture for invasive species in the amount of \$667,000, then the general fund appropriation for that purpose in House
14 Bill No. 2 is void;

15 (d) to the department of corrections for license plate reissue in the amount of \$2,886,308, then the general fund transfer for this purpose in House
16 Bill No. 2 is void; and

17 (e) to the department of justice for:

18 (i) license plate reissue in the amount of \$321,250, then the general fund transfer for this purpose in House Bill No. 2 is void; and

19 (ii) the meth watch program in the amount of \$500,000, then the general fund appropriation for this purpose in House Bill No. 2 is void.

20 (2) If the amount of an appropriation described in subsection (1) is for an amount less than the amount specified in subsection (1), then the
21 corresponding appropriation for that purpose contained in House Bill No. 2 is not void, but is reduced by the amount of the difference between the amount

1 specified in subsection (1) and the amount appropriated in [section 39].

2

3 **COORDINATION SECTION.** **Section 30. Coordination instruction.** (1) Subject to subsection (4), if House Bill No. 5 is passed and approved
4 and if [this act] provides fund transfers from the general fund to:

5 (a) the state energy administration fund in the department of environmental quality in the amount of \$750,000 per year, then the transfers of \$1
6 million in FY 2010 and \$500,000 in FY 2011 in section 3 of House Bill No. 5 for the state building energy conservation program are void;

7 (b) the state energy conservation projects account in the department of environmental quality in the amount of \$750,000 per fiscal year, then the
8 transfers of \$10,400,000 in FY 2010 and \$2,957,000 in FY 2011 in section 3 of House Bill No. 5 for the energy conservation projects are void;

9 (c) the department of fish, wildlife, and parks for the access Montana program in the amount of \$6 million, then the transfers in section 3 of House
10 Bill No. 5 to the fish, wildlife, and parks capital projects account for \$1 million in FY 2010 and \$1 million in FY 2011 are void.

11 (2) Subject to subsection (4), if House Bill No. 5 is passed and approved and if the total allocations of the federal energy funds received pursuant
12 to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, to the department of environmental quality in House Bill No. 5 is in the amount
13 of \$20 million or greater, then the transfer of general fund for energy conservation programs administered by the department of environmental quality in
14 House Bill No. 5 is void.

15 (3) Subject to subsection (4), if House Bill No. 5 is passed and approved and if the total of the line item allocations of federal stabilization funds
16 in House Bill No. 5 for long range building is \$5.2 million, then the transfers of \$2.6 million in FY 2010 and \$2.6 million in FY 2011 in section 3 of House
17 Bill No. 5 for long-range building are void.

18 (4) If the amount of a fund transfer described in subsection (1) or an allocation described in subsection (2) or (3) is for an amount less than the
19 amount specified in subsections (1) through (3), then the corresponding transfer or allocation for that purpose contained in House Bill No. 5 is not void,
20 but is reduced by the amount of the difference between the amount specified in subsections (1) through (3) and the amount transferred or allocated in
21 [section 39].

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COORDINATION SECTION. Section 31. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 10 is passed and approved

and if [this act] contains:

(a) a line item transfer to replace the House Bill No. 10 transfers, then section 4 of House Bill No. 10 is void;

(b) an appropriation of \$2 million in general fund to the department of administration for interoperability Montana, then the general fund appropriation for that purpose in House Bill No. 10 is void;

(c) an appropriation of \$3.5 million in general fund to the department of administration for the enterprise system services center equipment, then the general fund appropriation for that purpose in House Bill No. 10 is void;

(d) an appropriation of \$500,000 in general fund to the department of public health and human services for the system for enforcement and recovery of child support planning, then the general fund appropriation for that purpose in House Bill No. 10 is void.

(2) If the amount of a fund transfer or an appropriation described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding transfer or appropriation for that purpose contained in House Bill No. 10 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount transferred or appropriated in [section 39].

COORDINATION SECTION. Section 32. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 13 is passed and approved

and if [this act] contains an appropriation for:

(a) personal services contingency in the amount of \$4 million, then the general fund appropriation for that purpose in House Bill No. 13 is void;

(b) labor/management training initiative in the amount of \$75,000, then the general fund appropriation for that purpose in House Bill No. 13 is void;

and

(c) the \$450 individual pay adjustments in the amount of \$3,065,451, then the general fund appropriation for that purpose in House Bill No. 13 is

void.

(2) If the amount of an appropriation described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding appropriation for that purpose contained in House Bill No. 13 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount appropriated in [section 39].

COORDINATION SECTION. Section 33. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 135 is passed and approved and if [this act] contains a fund transfer for the Fort Belknap-Montana water rights compact in the amount of \$1 million, then the general fund transfer to the Peoples Creek minimum flow account in House Bill No. 135 is void.

(2) If the amount of the fund transfer described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding fund transfer for that purpose contained in House Bill No. 135 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount transferred in [section 39].

COORDINATION SECTION. Section 34. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 161 is passed and approved and if [this act] contains a fund transfer for the Blackfeet Tribe water rights compact in the amount of \$4 million, then the general fund transfer to the Blackfeet Tribe water rights compact infrastructure account in House Bill No. 161 is void.

(2) If the amount of the fund transfer described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding fund transfer for that purpose contained in House Bill No. 161 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount transferred in [section 39].

NEW SECTION. Section 35. Codification instruction. [Sections 9 and 10] are intended to be codified as an integral part of Title 39, chapter 51, part 21, and the provisions of Title 39, chapter 51, part 21, apply to [sections 9 and 10].

1 NEW SECTION. **Section 36. Effective date.** [This act] is effective on passage and approval.

2

3 NEW SECTION. **Section 37. Retroactive applicability.** [Section 15] applies retroactively, within the meaning of 1-2-109, to February 17, 2009.

4

5 NEW SECTION. **Section 38. Termination.** [Sections 1 through 7 and 11 through 20] terminate June 30, 2011.

6

7 NEW SECTION. **Section 39. Appropriations -- fund transfers -- allocations.** The following money is appropriated for the respective fiscal years.

8 Appropriations may be transferred among FY 2009, FY 2010, and FY 2011.

9

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State	Federal				General	State	Federal			
<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>				<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
A. GENERAL GOVERNMENT											
GOVERNOR'S OFFICE (3101)											
1. Office of Budget and Program Planning (04)											
a. HB13 -- Personal Services Contingency											
4,000,000	0	0	0	0	4,000,000	0	0	0	0	0	0
b. HB 13 -- Labor/Management Training Initiative											
75,000	0	0	0	0	75,000	0	0	0	0	0	0
c. HB 13 -- \$450 One-Time Payment											
3,065,451	0	0	0	0	3,065,451	0	0	0	0	0	0
Total											
7,140,451	0	0	0	0	7,140,451	0	0	0	0	0	0
DEPARTMENT OF ADMINISTRATION (6101)											
1. Director's Office (01)											
a. Teachers' Retirement System											
21,500,000	0	0	0	0	21,500,000	21,500,000	0	0	0	0	21,500,000

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>							
		State	Federal						State	Federal				
		General	Special	Special	<u>Propri-</u>				General	Special	Special	<u>Propri-</u>		
		<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>		<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	2.	Information Technology Services Division (07)												
2	a.	High-Performance Computing												
3		1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	0	1,000,000
4														
5	Total													
6		22,500,000	0	0	0	0	22,500,000	22,500,000	0	0	0	0	0	22,500,000
7	DEPARTMENT OF COMMERCE (6501)													
8	1.	Business Resources Division (51)												
9	a.	Main Street Program												
10		125,000	0	0	0	0	125,000	125,000	0	0	0	0	0	125,000
11	b.	Worker Training												
12		0	0	3,997,361	0	0	3,997,361	0	0	3,997,361	0	0	0	3,997,361
13	c.	Tribal Economic Development												
14		0	0	798,496	0	0	798,496	0	0	798,496	0	0	0	798,496
15	d.	Distressed Wood Products Industry												
16		3,752,548	0	0	0	0	3,752,548	3,747,452	0	0	0	0	0	3,747,452

eh

		Fiscal 2010					Fiscal 2011

		Fiscal 2010					Fiscal 2011					
		State	Federal				State	Federal				
		General	Special	Special	Propri-		General	Special	Special	Propri-		
		<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	e.	Community Development Block Grant										
2		0	0	914,939	0	0	0	0	914,939	0	0	914,939
3	2.	Energy Promotion and Development Division (55)										
4	a.	Energy Promotion Division										
5		455,000	0	0	0	0	455,000	0	0	0	0	455,000
6	3.	Community Development Division (60)										
7	a.	TSEP Operations										
8		0	81,158	0	0	0	0	79,415	0	0	0	79,415
9	4.	Housing Division (74)										
10	a.	Tax Credit Assistance Program										
11		0	0	3,909,180	0	0	0	0	3,909,180	0	0	3,909,180
12	b.	Housing Credit Exchange										
13		0	0	15,389,250	0	0	0	0	15,389,250	0	0	15,389,250
14	5.	Director's Office/Management Services Division (81)										
15	a.	Broadband Matching Grants										
16		2,500,871	0	0	0	0	2,499,129	0	0	0	0	2,499,129

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>					
	State	Federal					State	Federal				
General	Special	Special	<u>Propri-</u>			General	Special	Special	<u>Propri-</u>			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	b.	School Facilities Program Administration and Grants										
2	0	21,502,800	0	0	0	21,502,800	0	21,497,200	0	0	0	21,497,200
3												
4	Total											
5	6,833,419	21,583,958	25,009,226	0	0	53,426,603	6,826,581	21,576,615	25,009,226	0	0	53,412,422

6 The line item for Worker Training is to provide training funds for businesses to train and educate both new and existing employees, which will result in the retention and creation of
7 high-wage and high-skilled jobs that will increase the earning potential and employment opportunities for Montana employees and enhance the state's economy.

8 The line item appropriation for Broadband Matching Grants may be used to develop a statewide strategic plan and administer a competitive grant program to: provide access to
9 broadband service to consumers residing in unserved and underserved areas; provide broadband education, awareness, training, access, equipment, and support to organizations, such as
10 schools, libraries, and healthcare providers; improve access to and the use of broadband service by public safety agencies; and stimulate the demand for broadband, economic growth, and
11 job creation. The state intends to prioritize the expenditure of money on state matching funds necessary to compete for federal grants under Title VI of the American Recovery and Reinvestment
12 Act for broadband service. The state matching funds may be used for applications for federal grant money made by either the state for the provision of improved connectivity for rural and
13 underserved populations in Montana or by local entities, including public school districts.

14 The line item appropriation for the School Facilities Program Administration and Grants is to be used in the same manner as provided in section 10 of HB 152.

15 DEPARTMENT OF LABOR AND INDUSTRY (6602)

16 1. Workforce Services Division (01)

Fiscal 2010						Fiscal 2011					
General	State	Federal				General	State	Federal			
	Special	Special	Propri-				Special	Special	Propri-		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	a.	Workforce Investment Act -- Adult									
2	0	0	1,246,876	0	0	1,246,876	0	0	0	0	0
3	b.	Workforce Investment Act -- Youth									
4	0	0	2,947,501	0	0	2,947,501	0	0	0	0	0
5	c.	Workforce Investment Act -- Dislocated Workers									
6	0	0	1,728,008	0	0	1,728,008	0	0	0	0	0
7	d.	Employment Services									
8	0	0	1,104,669	0	0	1,104,669	0	0	0	0	0
9	e.	Community Service Employment for Older Americans									
10	0	0	147,000	0	0	147,000	0	0	0	0	0
11	f.	Temporary Extension of TAA									
12	0	0	1,202,742	0	0	1,202,742	0	0	400,914	0	400,914
13	g.	Reemployment Services to Benefit UI Claimants									
14	0	0	1,380,835	0	0	1,380,835	0	0	460,279	0	460,279
15	2.	Unemployment Insurance Division (02)									
16	a.	Extend Emergency Unemployment Compensation Program									

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
	State	Federal					State	Federal			
General	Special	Special	<u>Propri-</u>			General	Special	Special	<u>Propri-</u>		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	0	0	1,968,103	0	0	1,968,103	0	0	0	0	0
2	b.	Temporary Extension of TAA									
3	0	0	113,242	0	0	113,242	0	0	73,585	0	0
4	c.	Increase in Unemployment Compensation Program									
5	0	0	190,628	0	0	190,628	0	0	0	0	0
6	d.	Special Transfer for Unemployment Compensation Modernization									
7	0	0	340,271	0	0	340,271	0	0	154,748	0	0
8	e.	Special Transfer in Federal FY 2009 for Administration									
9	0	0	834,416	0	0	834,416	0	0	560,280	0	0
10	3.	Office of Community Service (07)									
11	a.	AmeriCorps Grant									
12	0	0	500,000	0	0	500,000	0	0	0	0	0
13											
14	Total										
15	0	0	13,704,291	0	0	13,704,291	0	0	1,649,806	0	0
16	DEPARTMENT OF MILITARY AFFAIRS (6701)										

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Fiscal 2010Fiscal 2011

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State	Federal	Propri-	Other	Total	General	State	Federal	Propri-	Other	Total
	Special	Special					Special	Special			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
1. Army National Guard Program (12)											
a. Culbertson Armory -- Female Latrines Allocation											
0	0	225,900	0	0	225,900	0	0	0	0	0	0
b. Malta Armory -- Female Latrines Allocation											
0	0	225,900	0	0	225,900	0	0	0	0	0	0
c. Fort Harrison -- Helicopter Dip Site Allocation											
0	0	279,268	0	0	279,268	0	0	0	0	0	0
d. Statewide Armories -- Vault Modifications Allocation											
0	0	500,000	0	0	500,000	0	0	0	0	0	0
e. Billings -- Water Recycler											
0	0	18,500	0	0	18,500	0	0	0	0	0	0
f. Fort Harrison Building 412 Mechanical System											
0	0	30,000	0	0	30,000	0	0	0	0	0	0
Total											
0	0	1,279,568	0	0	1,279,568	0	0	0	0	0	0

	Fiscal 2010					Fiscal 2011

	Fiscal 2010					Fiscal 2011						
	General	State Special	Federal Special	Propri- etary	Other	General	State Special	Federal Special	Propri- etary	Other	Total	
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	There is allocated \$225,900 federal stimulus to the Army National Guard Program for the Culbertson Armory – Female Latrines project, which has been approved by the national guard											
2	bureau.											
3	There is allocated \$225,900 federal stimulus funds to the Army National Guard Program for the Malta Armory – Female Latrines project, which has been approved by the national											
4	guard bureau.											
5	There is allocated \$500,000 federal stimulus to the Army National Guard Program for the Statewide Armories – Vault Modifications project, which has been approved by the national											
6	guard bureau.											
7	There is allocated \$279,268 federal stimulus funds to the Army National Guard Program for the Fort Harrison – Helicopter Dip Site project, which has been approved by the national											
8	guard bureau.											
9												
10	TOTAL SECTION A											
11	36,473,870	21,583,958	39,993,085	0	0	98,050,913	29,326,581	21,576,615	26,659,032	0	0	77,562,228

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State Special	Federal Special	Propr- etary	Other	Total	General	State Special	Federal Special	Propr- etary	Other	Total
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1											
2											
3	1.										
4	a.										
5	0	0	718,736	0	0	718,736	0	0	0	0	0
6	b.										
7	0	0	2,873,503	0	0	2,205,106	0	0	2,155,127	0	779,642
8	c.										
9	0	0	1,692,000	0	0	1,692,000	0	0	0	0	0
10	d.										
11	0	0	2,256,000	0	0	2,256,000	0	0	564,000	0	564,000
12	e.										
13	0	0	1,765,870	0	0	1,765,870	0	0	0	0	0
14	f.										
15	0	0	2,185,332	0	0	2,185,332	0	0	1,638,999	0	1,638,999
16	g.										

B. HEALTH AND HUMAN SERVICES

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES (6901)

1. Human and Community Services Division (02)

a. Child Care Development Block Grant -- FY 2009

b. Child Care Development Block Grant -- FY 2010-11

c. Community Services Block Grant -- FY 2009

d. Community Services Block Grant -- FY 2010-11

e. TANF Emergency Funds -- FY 2009

f. TANF Emergency Funds -- FY 2010-11

g. SNAP -- Food Stamps -- FY 2009

Fiscal 2010						Fiscal 2011					
General	State	Federal				General	State	Federal			
	Special	Special	Propri-				Special	Special	Propri-		
Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total
1	0	0	5,983,625	0	0	5,983,625	0	0	0	0	0
2	h.	SNAP -- Food Stamps -- FY 2010-11									
3	0	0	21,503,078	0	0	21,503,078	0	0	21,415,578	0	0
4	i.	Food Distribution on Reservations -- FY 2009									
5	0	0	69,300	0	0	69,300	0	0	0	0	0
6	j.	Food Distribution on Reservations -- FY 2010-11									
7	0	0	77,000	0	0	77,000	0	0	7,700	0	0
8	k.	Emergency Food Assistance -- FY 2009									
9	0	0	32,750	0	0	32,750	0	0	0	0	0
10	l.	Emergency Food Assistance -- FY 2010-11									
11	0	0	43,667	0	0	43,667	0	0	10,916	0	0
12	m.	Weatherization -- FY 2009									
13	0	0	3,382,460	0	0	3,382,460	0	0	0	0	0
14	n.	Weatherization -- FY 2010-11									
15	0	0	13,529,841	0	0	13,529,841	0	0	10,147,380	0	0
16	o.	Homeless Prevention/Emergency Food & Shelter -- FY 2009									

Fiscal 2010Fiscal 2011

	General	State	Federal	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	General	State	Federal	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
		Special	Special					Special	Special			
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
1	0	0	187,500	0	0	187,500	0	0	0	0	0	0
2	p.	Homeless Prevention/Emergency Food & Shelter -- FY 2010-11										
3	0	0	1,875,000	0	0	1,875,000	0	0	1,687,500	0	0	1,687,500
4	2.	Director's Office (04)										
5	a.	VISTA -- FY 2010-11										
6	0	0	50,000	0	0	50,000	0	0	50,000	0	0	50,000
7	3.	Child Support Enforcement Division (05)										
8	a.	CSED -- Temporarily Restore Federal Matching Funds -- FY 2009										
9	0	0	1,646,914	0	0	0	0	0	0	0	0	0
10	b.	CSED -- Temporarily Restore Federal Matching Funds -- FY 2010-11										
11	0	0	2,040,176	0	0	0	0	0	619,235	0	0	0
12	4.	Public Health and Safety Division (07)										
13	a.	WIC -- FY 2010-11										
14	0	0	783,000	0	0	783,000	0	0	700,000	0	0	700,000
15	b.	County Health Grants -- Asbestos -- FY 2010-11										
16	0	0	1,000,000	0	0	1,000,000	0	0	1,000,000	0	0	1,000,000

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>					
	State	Federal					State	Federal				
General	Special	Special	<u>Propri-</u>				General	Special	Special	<u>Propri-</u>		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	c.	Prevention and Wellness Fund -- FY 2010-11										
2	0	0	2,100,000	0	0	2,100,000	0	0	2,100,000	0	0	2,100,000
3	5.	Operations and Technology Division (09)										
4	a.	Health Information Technology -- FY 2010-11										
5	375,000	0	0	0	0	375,000	375,000	0	0	0	0	375,000
6	6.	Disability Services Division (10)										
7	a.	IDEA -- Infants and Families -- FY 2010-11										
8	0	0	1,069,921	0	0	1,069,921	0	0	1,069,922	0	0	1,069,922
9	b.	Vocational Rehabilitation State Grants -- FY 2010-11										
10	0	0	1,315,737	0	0	1,315,737	0	0	1,000,000	0	0	1,000,000
11	7.	Health Resources Division (11)										
12	a.	FMAP -- FY 2009										
13	0	0	53,000,000	0	0	0	0	0	0	0	0	0
14	b.	FMAP -- FY 2010-11										
15	0	0	75,000,000	0	0	0	0	0	27,000,000	0	0	0
16	c.	Medicaid Caseload -- FY 2010-11										

	<u>Fiscal 2010</u>					<u>Fiscal 2011</u>						
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			
1	25,000,000	0	84,361,329	0	0	109,361,329	35,000,000	0	118,105,861	0	0	153,105,861
2	8. Senior and Long-Term Care Division (22)											
3	a. Aging Services Programs -- FY 2010-11											
4	0	0	250,000	0	0	250,000	0	0	250,000	0	0	250,000
5												
6	Total											
7	25,375,000	0	280,792,739	0	0	306,167,739	35,375,000	0	189,522,218	0	0	224,897,218
8	The total collections of enhanced FMAP include the \$155 million contained in FMAP -- FY 2009 and FMAP -- FY 2010-11 plus an increase in revenue of \$3 million due to the enhanced											
9	FMAP effect on the institutional reimbursement general fund revenue.											
10	The House Bill No. 2 base general fund appropriations for the Human and Community Services Division for benefits are reduced by \$668,397 in FY 2010 and \$1,375,485 in FY 2011.											
11	The House Bill No. 2 base general fund appropriations for the Child Support Enforcement Division are reduced by \$2,040,176 in FY 2010 and \$619,235 in FY 2011.											
12	The House Bill No. 2 base general fund appropriations for the Health Resources Division for benefits are reduced by \$75 million in FY 2010 and \$27 million in FY 2011. The agency											
13	may redistribute funding between programs to realign funding sources for medicaid.											
14												
15	TOTAL SECTION B											
16	25,375,000	0	280,792,739	0	0	306,167,739	35,375,000	0	189,522,218	0	0	224,897,218

	Fiscal 2010					Fiscal 2011

	<u>Fiscal 2010</u>					<u>Fiscal 2011</u>				
	General	State Special	Federal Special	Propri- etary	Other	General	State Special	Federal Special	Propri- etary	Other
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>		<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>		<u>Total</u>
1	C. NATURAL RESOURCES AND TRANSPORTATION									
2	DEPARTMENT OF ENVIRONMENTAL QUALITY (5301)									
3	1.	Planning, Prevention, and Assistance Division (20)								
4	a.	State Energy Programs								
5		0	0	5,509,281	0	0	0	3,202,719	0	0
6	b.	Energy Efficiency Block Grant								
7		0	0	7,253,289	0	0	0	323,711	0	0
8	c.	Drinking Water SRF -- Administration								
9		0	0	388,673	0	0	0	313,400	0	0
10	d.	Clean Water SRF -- Administration								
11		0	0	382,034	0	0	0	307,828	0	0
12	e.	Water Quality Grant								
13		0	0	193,886	0	0	0	0	0	0
14	f.	Diesel Emissions Reduction Act (DERA) Grant								
15		0	0	1,033,287	0	0	0	666,713	0	0
16	2.	Enforcement Division (30)								

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>						
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			
1	a.	Enforcement Division Administration -- Federal Stimulus										
2	32,481	0	0	0	0	32,481	66,873	0	0	0	0	66,873
3	3.	Remediation Division (40)										
4	a.	Leaking Underground Storage Tanks										
5	0	0	1,075,491	0	0	1,075,491	0	0	924,509	0	0	924,509
6	4.	Permitting and Compliance Division (50)										
7	a.	Drinking Water SRF -- Administration										
8	0	0	607,297	0	0	607,297	0	0	535,057	0	0	535,057
9	b.	Permitting and Compliance Division Administration -- Federal Stimulus										
10	359,794	0	0	0	0	359,794	367,918	0	0	0	0	367,918
11	c.	Permitting and Compliance Division Administration -- FY 2009										
12	101,500	0	0	0	0	101,500	0	0	0	0	0	0
13												
14	Total											
15	493,775	0	16,443,238	0	0	16,937,013	434,791	0	6,273,937	0	0	6,708,728
16	DEPARTMENT OF TRANSPORTATION (5401)											

Fiscal 2010Fiscal 2011

		State	Federal				State	Federal					
	General	Special	Special	Propri-		General	Special	Special	Propri-				
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	1.	Construction Program (02)											
2	a.	Highway Funding											
3		0	0	132,000,000	0	0	132,000,000	0	0	88,000,000	0	0	88,000,000
4	2.	Transportation Planning Division (50)											
5	a.	Transit Formula Funding											
6		0	0	9,367,026	0	0	9,367,026	0	0	6,244,684	0	0	6,244,684
7													
8	Total												
9		0	0	141,367,026	0	0	141,367,026	0	0	94,244,684	0	0	94,244,684
10	DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)												
11	1.	Centralized Services Division (21)											
12	a.	Drinking Water -- SRF											
13		0	0	75,140	0	0	75,140	0	0	75,712	0	0	75,712
14	2.	Conservation and Resource Development Division (23)											
15	a.	Drinking Water -- SRF											
16		0	0	10,530,000	0	0	10,530,000	0	0	0	0	0	0

Fiscal 2010							Fiscal 2011					
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	Fund	Revenue	Revenue				Fund	Revenue	Revenue			
1	b.	Clean Water -- SRF										
2	0	0	10,385,146	0	0	10,385,146	0	0	20,000	0	0	20,000
3	c.	Water Project Administration										
4	230,000	0	0	0	0	230,000	230,000	0	0	0	0	230,000
5	3.	Reserved Water Rights Compact Commission (25)										
6	a.	Blackfeet Water Compact (transfer)										
7	4,000,000	0	0	0	0	4,000,000	0	0	0	0	0	0
8	b.	Fort Belknap Water Compact (transfer)										
9	1,000,000	0	0	0	0	1,000,000	0	0	0	0	0	0
10	4.	Forestry and Trust Lands (35)										
11	a.	USFS State and Private Forestry Assistance										
12	0	0	2,500,000	0	0	2,500,000	0	0	2,500,000	0	0	2,500,000
13												
14	Total											
15	5,230,000	0	23,490,286	0	0	28,720,286	230,000	0	2,595,712	0	0	2,825,712
16	DEPARTMENT OF AGRICULTURE (6201)											

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	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1 1.	Agricultural Sciences Division (30)											
2 a.	Invasive Species											
3	333,500	0	0	0	0	333,500	333,500	0	0	0	0	333,500
4												
5	Total											
6	333,500	0	0	0	0	333,500	333,500	0	0	0	0	333,500
7												
8	TOTAL SECTION C											
9	6,057,275	0	181,300,550	0	0	187,357,825	998,291	0	103,114,333	0	0	104,112,624

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	<u>Fiscal 2010</u>					<u>Fiscal 2011</u>						
	State		Federal	<u>Propri-</u>		<u>etary</u>	State		Federal	<u>Propri-</u>		
	General	Special	Special				General	Special	Special			
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>		<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	D. JUDICIAL BRANCH, LAW ENFORCEMENT, JUSTICE											
2	CRIME CONTROL DIVISION (4107)											
3	1.	Justice System Support Service (01)										
4	a.	Byrne/JAG Grant										
5	0	0	3,165,819	0	0	3,165,819	0	0	0	0	0	0
6	b.	Crime Victims Assistance Grant										
7	0	0	564,000	0	0	564,000	0	0	0	0	0	0
8	c.	Violence Against Women Grant										
9	0	0	916,955	0	0	916,955	0	0	0	0	0	0
10												
11	Total											
12	0	0	4,646,774	0	0	4,646,774	0	0	0	0	0	0
13	DEPARTMENT OF JUSTICE (4110)											
14	1.	Motor Vehicle Division (12)										
15	a.	License Plate Reissue										
16	321,250	0	0	0	0	321,250	0	0	0	0	0	0

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>					
	State	Federal					State	Federal				
	General	Special	Special	Propri-			General	Special	Special	Propri-		
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	2.	Division of Criminal Investigation (18)										
2	a.	Meth Watch										
3		500,000	0	0	0	0	500,000	0	0	0	0	0
4	b.	Internet Crimes Against Children Grants										
5		0	0	403,670	0	0	403,670	0	0	0	0	0
6												
7	Total											
8		821,250	0	403,670	0	0	1,224,920	0	0	0	0	0
9	DEPARTMENT OF CORRECTIONS (6401)											
10	1.	Montaña Correctional Enterprises (04)										
11	a.	License Plate Reissue										
12		2,858,599	0	0	0	0	2,858,599	27,709	0	0	0	27,709
13												
14	Total											
15		2,858,599	0	0	0	0	2,858,599	27,709	0	0	0	27,709
16												

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	Fiscal 2010					Fiscal 2011						
	General	State Special	Federal Special	Propri- etary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Propri- etary	Other	Total
1	TOTAL SECTION D											
2	3,679,849	0	5,050,444	0	0	8,730,293	27,709	0	0	0	0	27,709

Fiscal 2010Fiscal 2011

General	State	Federal	<u>Propri-</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	State	Federal	<u>Propri-</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
	Special	Special					Special	Special				
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>					<u>Revenue</u>	<u>Revenue</u>				

E. EDUCATION

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION (3501)

1. OPI Administration (06)

a. IDEA -- Special Education

0	0	1,235,815	0	0	1,235,815	0	0	0	0	0	0
---	---	-----------	---	---	-----------	---	---	---	---	---	---

b. Title I-A Improvement -- FY 2009

0	0	468,150	0	0	468,150	0	0	0	0	0	0
---	---	---------	---	---	---------	---	---	---	---	---	---

c. Title II-D Education Technology -- FY 2009

0	0	160,469	0	0	160,469	0	0	0	0	0	0
---	---	---------	---	---	---------	---	---	---	---	---	---

2. Distribution to Public Schools (09)

a. School Lunch Equipment

0	0	247,461	0	0	247,461	0	0	0	0	0	0
---	---	---------	---	---	---------	---	---	---	---	---	---

b. Title I -- FY 2009

0	0	34,650,000	0	0	34,650,000	0	0	0	0	0	0
---	---	------------	---	---	------------	---	---	---	---	---	---

c. IDEA -- Special Education

0	0	35,472,241	0	0	35,472,241	0	0	0	0	0	0
---	---	------------	---	---	------------	---	---	---	---	---	---

Fiscal 2010						Fiscal 2011					
General	State	Federal				General	State	Federal			
Fund	Special	Special	Propri-			Fund	Special	Special	Propri-		
	Revenue	Revenue	etary	Other	Total		Revenue	Revenue	etary	Other	Total
1	d.	Education Technology -- FY 2009									
2	0	0	3,048,906	0	0	3,048,906	0	0	0	0	0
3	e.	Title I-A Improvement -- FY 2009									
4	0	0	8,894,850	0	0	8,894,850	0	0	0	0	0
5	f.	IDEA Part B (Section 619 Preschool) -- FY 2010-11									
6	0	0	1,260,947	0	0	1,260,947	0	0	0	0	0
7	g.	McKinney-Vento (Homeless Assistance) -- FY 2010-11									
8	0	0	224,000	0	0	224,000	0	0	0	0	0
9											
10	Total										
11	0	0	85,662,839	0	0	85,662,839	0	0	0	0	0
12	MONTANA UNIVERSITY SYSTEM, INCLUDING OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION AND EDUCATIONAL UNITS AND AGENCIES (5100)										
13	1.	OCHE -- Administration (01)									
14	a.	Distance Learning									
15	0	0	1,000,000	0	0	1,000,000	0	0	1,000,000	0	0
16	2.	OCHE -- Community College Assistance (04)									

Fiscal 2010						Fiscal 2011						
General	State	Federal				General	State	Federal				
<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	
	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>				<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			
1	a.	Community College Assistance										
2	0	0	606,189	0	0	606,189	0	0	671,586	0	0	671,586
3	3.	OCHE – Appropriation Distribution Transfers (09)										
4	a.	Tuition Mitigation for Resident Students										
5	0	0	5,000,000	0	0	5,000,000	0	0	5,000,000	0	0	5,000,000
6	b.	Stabilization Funding for Higher Education										
7	0	0	44,076,457	0	0	0	0	0	45,074,019	0	0	0
8	4.	OCHE – Tribal College Assistance (11)										
9	a.	Tribal College Assistance										
10	0	0	450,000	0	0	450,000	0	0	450,000	0	0	450,000
11												
12	Total											
13	0	0	51,132,646	0	0	51,132,646	0	0	52,195,605	0	0	52,195,605

The line item appropriation for Tuition Mitigation for Resident Students is contingent upon tuition increases of 0% for the 2011 biennium for UM-Missoula COT, MSU-Billings COT, UM-MT Tech COT, MSU-Great Falls COT, UM-Helena COT, Dawson Community College, Flathead Valley Community College, Miles Community College, MSU-Northern, UM-Western, UM-Missoula, MSU-Bozeman, UM-MT Tech, and MSU-Billings.

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
State		Federal				State		Federal			
General	Special	Special	<u>Propri-</u>			General	Special	Special	<u>Propri-</u>		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
The line item appropriation for Distance Learning is to be used to facilitate access and affordability of 2-year colleges by:											
(1) centralizing distance learning courses into a single unified web-based student enrollment system for admissions and financial assistance to enhance access and degree completion;											
and											
(2) coordinating with the superintendent of public instruction on at least five early college degree programs in a Montana Big Sky Career Pathway for high school students to have											
access to college courses in the classroom or virtually in order to obtain a high school diploma and associate degree in 5 years.											
For OCHE—Appropriation Distribution Transfers, the House Bill No. 2 base general fund appropriations for transfers are reduced by \$44,076,457 in FY 2010 and \$45,074,019 in FY											
2011.											
TOTAL SECTION E											
0	0	136,795,485	0	0	136,795,485	0	0	52,195,605	0	0	52,195,605

Fiscal 2010

Fiscal 2011

	Fiscal 2010					Fiscal 2011					
	General	State	Federal			General	State	Federal			
	<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>		<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
		<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>		<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
1	F. LONG-RANGE PLANNING										
2	STATEWIDE AGENCY (9999)										
3	1.	Long-Range Building Program -- HB 5 (01)									
4	a.	Long-Range Building Program Allocation									
5		0	0	7,734,914	0	0	7,734,914	0	0	7,734,914	0
6	b.	Long-Range Building Program Transfer									
7		542,586	0	0	0	542,586	542,586	0	0	0	0
8	c.	Long-Range Building Program Energy Conservation Improvements Allocation									
9		0	0	7,094,000	0	0	7,094,000	0	0	7,094,000	0
10	d.	Long-Range Building Program Energy Conservation Improvements Transfer									
11		750,000	0	0	0	750,000	750,000	0	0	0	0
12	e.	MUS Energy Conservation Improvements Allocation									
13		0	0	11,000,000	0	0	11,000,000	0	0	11,000,000	0
14	f.	University of Montana-Western -- Main Hall Allocation									
15		0	0	3,000,000	0	0	3,000,000	0	0	3,000,000	0
16	g.	Access Montana Transfer									

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>					
	General	State	Federal				General	State	Federal			
		Special	Special	Propri-				Special	Special	Propri-		
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	3,000,000	0	0	0	0	3,000,000	3,000,000	0	0	0	0	3,000,000
2	h.	Ruby Dam Transfer										
3	1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
4	i.	Energy Project Administration Transfer										
5	750,000	0	0	0	0	750,000	750,000	0	0	0	0	750,000
6	2.	Information Technology Projects -- HB 10 (02)										
7	a.	ESSC Equipment and Moving Expenses										
8	1,750,000	0	0	0	0	1,750,000	1,750,000	0	0	0	0	1,750,000
9	b.	Interoperability Montana										
10	1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
11	c.	Child Support Computer System										
12	250,000	0	0	0	0	250,000	250,000	0	0	0	0	250,000
13	d.	SOS Information Management System Transfer										
14	2,750,000	0	0	0	0	2,750,000	2,750,000	0	0	0	0	2,750,000
15	e.	Replace HB 10 General Fund Transfer										
16	3,433,100	0	0	0	0	3,433,100	3,433,100	0	0	0	0	3,433,100

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>						
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total	
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	3.	Treasure State Endowment Program -- HB 11 (03)											
2	a.	Regional Water System Transfer											
3		4,000,000	0	0	0	0	4,000,000	4,000,000	0	0	0	0	4,000,000
4	b.	TSEP Infrastructure Transfer											
5		10,250,000	0	0	0	0	10,250,000	10,250,000	0	0	0	0	10,250,000
6	4.	Other Transfers (05)											
7	a.	School Facilities Account (HB 152) Transfer											
8		21,500,000	0	0	0	0	21,500,000	21,500,000	0	0	0	0	21,500,000
9	b.	Southwestern Montana Veterans' Home (HB 213) Transfer											
10		1,750,000	0	0	0	0	1,750,000	1,750,000	0	0	0	0	1,750,000
11	5.	Renewable Resource Grants and Loans -- HB 6 (07)											
12	a.	Water Projects Transfer											
13		1,750,000	0	0	0	0	1,750,000	1,750,000	0	0	0	0	1,750,000
14	6.	Reclamation and Development Grants and Loans -- HB 7 (08)											
15	a.	Reclamation Projects Transfer											
16		500,000	0	0	0	0	500,000	500,000	0	0	0	0	500,000

1												
2	Total											
3	54,975,686	0	28,828,914	0	0	83,804,600	54,975,686	0	28,828,914	0	0	83,804,600
4												
5	TOTAL SECTION F											
6	54,975,686	0	28,828,914	0	0	83,804,600	54,975,686	0	28,828,914	0	0	83,804,600
7	The \$2 million general fund transfer is into the state water project hydroelectric power generation special revenue account established in 85-1-220.											
8	The line item for the Southwestern Montana Veterans' Home is to transfer funding into the account created by HB 213.											
9												
10	TOTAL STATE FUNDING											
11	126,561,680	21,583,958	672,761,217	0	0	820,906,855	120,703,267	21,576,615	400,320,102	0	0	542,599,984
12	-END-											

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MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Call to Order: Chairman Teresa K. Henry, on March 12, 2009 at
8:10 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Rep. Teresa K. Henry, Chairman (D)
Sen. Dave Lewis, Vice Chairman (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Sen. David E. Wanzenried (D)

Members Excused: None

Members Absent: Sen. John Esp (R)
Rep. Penny Morgan (R)
Sen. Trudi Schmidt (D)

Staff Present: Marilyn Daumiller, Legislative Branch
Ryan Evans, OBPP
Erin Powers, OBPP
Donna Small, Committee Secretary
Lois Steinbeck, Legislative Branch
Pat Sullivan, OBPP
Kris Wilkinson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 645

Executive Action: None

Questions of the Committee

00:02:22 Chairwoman Henry
00:03:08 Sen. Wanzenried
00:03:34 Chairwoman Henry
00:03:41 Sen. Esp arrived.
00:04:12 Sen. Wanzenried
00:04:31 Marilyn Daumiller, Legislative Fiscal Division (LFD)
00:04:40 Sen. Schmidt arrived.
00:05:08 Sen. Lewis
00:05:37 Sen. Wanzenried
00:06:07 Chairwoman Henry
00:06:23 Ms. Daumiller
00:06:47 Chairwoman Henry
00:06:55 Ms. Daumiller
00:07:07 Chairwoman Henry
00:07:10 Ms. Daumiller
00:07:32 Chairwoman Henry
00:08:20 Sen. Schmidt
00:08:41 Ms. Daumiller
00:09:13 Chairwoman Henry
00:09:31 Sen. Schmidt
00:09:35 Chairwoman Henry
00:10:08 Sen. Lewis
00:10:40 Ms. Daumiller
00:11:26 Sen. Lewis
00:11:29 Ms. Daumiller
00:11:33 Sen. Lewis
00:11:53 Chairwoman Henry
00:12:05 Ryan Evans, Office of Budget and Program Planning
(OBPP)
00:12:19 Sen. Lewis
00:12:46 Mr. Evans
00:13:37 Sen. Lewis
00:14:01 Mr. Evans
00:14:34 Chairwoman Henry
00:15:03 Mr. Evans
00:15:22 Chairwoman Henry
00:15:30 Mr. Evans
00:16:11 Sen. Lewis
00:17:00 Mr. Evans
00:19:05 Sen. Lewis
00:19:43 Mr. Evans
00:19:59 Chairwoman Henry
00:21:05 Sen. Wanzenried
00:21:46 Chairwoman Henry
00:21:54 Sen. Wanzenried
00:23:21 Lois Steinbeck, Legislative Fiscal Division (LFD)
00:24:51 Sen. Wanzenried
00:25:16 Ms. Steinbeck

00:25:40 Sen. Wanzenried
00:25:54 Ms. Steinbeck
00:26:38 Sen. Schmidt
00:26:53 Ms. Steinbeck
00:27:29 Sen. Schmidt
00:27:40 Ms. Steinbeck
00:27:53 Sen. Schmidt
00:28:05 Ms. Steinbeck
00:28:45 Sen. Lewis
00:29:39 Chairwoman Henry

Human and Community Services Division

00:31:46 Rep. Tim Furey

EXHIBIT(jhh55a01)

00:34:39 Chairwoman Henry
00:35:04 Ann Carpenter, Montana Childcare and Referral Center
00:39:32 Chairwoman Henry
00:39:47 Tara Veazey, Montana Budget and Policy Center

EXHIBIT(jhh55a02)

00:43:42 Kim Hawn, Family Connection Childcare and Referral
Center
00:46:51 Sen. Schmidt
00:47:02 Ms. Hawn
00:47:25 Sen. Schmidt
00:47:38 Ms. Daumiller
00:48:15 Tammy Phelps, Stars
00:50:20 Christy Hill-Larson, Montana Head Start Association
00:51:34 Sheila Hogan, self
00:52:42 Ms. Daumiller
00:52:47 Ms. Hogan
00:53:49 Rep. Mary Caferro
00:56:14 Sen. Schmidt
00:56:30 Ms. Daumiller
00:56:38 Sen. Schmidt
00:56:46 Ms. Daumiller
00:57:20 Robert Buzzas, Montana Human Resource Development
Council (HRDC)

EXHIBIT(jhh55a03)

00:59:02 Chairwoman Henry
00:59:05 Mr. Buzzas
00:59:19 Ms. Daumiller

Child and Family Services Division

01:00:05 Rep. Chuck Hunter
01:00:18 Chairwoman Henry

01:00:22 Rep. Hunter
01:02:43 Chairwoman Henry
01:02:49 Rep. Hunter
01:03:06 Chairwoman Henry
01:03:18 Rep. Hunter
01:03:25 Chairwoman Henry
01:03:36 Rep. Hunter
01:04:02 Ms. Daumiller
01:04:09 Rep. Hunter
01:04:15 Chairwoman Henry
01:04:25 Sen. Schmidt
01:08:23 Chairwoman Henry
01:08:51 Sen. Lewis
01:09:06 Chairwoman Henry
01:09:32 Sen. Lewis
01:09:48 Chairwoman Henry
01:09:57 Sen. Lewis
01:10:02 Chairwoman Henry
01:10:30 Sen. Schmidt
01:10:41 Chairwoman Henry
01:10:43 Sen. Schmidt
01:10:47 Chairwoman Henry
01:11:13 Sen. Schmidt
01:11:49 Chairwoman Henry
01:11:57 Sen. Schmidt
01:12:08 Steve Yeakel, Montana Advocates for Children

Disability Services Division

01:13:01 Ms. Daumiller
01:13:23 Jan Cahill, Montana Association of Community Disability
Services

EXHIBIT(jhh55a04)

01:18:41 Chairwoman Henry
01:18:45 Mr. Cahill
01:18:55 Brodie Moll, Mission Mountain Enterprises
01:21:41 Charles Briggs, Easter Seals-Goodwill

EXHIBIT(jhh55a05)

01:28:41 Richard Saravalli, WestMont
01:29:58 Travis Hoffman, Summit Independent Living Center

EXHIBIT(jhh55a06)

01:33:04 Chairwoman Henry
01:33:05 Mr. Hoffman
01:33:35 Lorrie Merrill, Big Sandy Activities

EXHIBIT(jhh55a07)

01:36:02 Sen. Schmidt
01:36:19 Chairwoman Henry
01:36:26 Ms. Merrill

01:36:46 Craig Erickson, Big Sandy Activities/Hi Line Retirement
01:41:30 Chairwoman Henry
01:41:37 Ms. Merrill
01:41:56 Sen. Schmidt
01:42:06 Ms. Merrill
01:42:37 Mr. Erickson
01:43:15 Susan Dow, Developmental Disability Childrens Service
Providers
01:46:51 Cheryl Volinkaty, Child Development Center
01:51:27 Gary Garloc, STEP Incorporated
01:53:02 Silvia Danforth, DEEP

01:54:40 Break
02:11:24 Reconvene

Addictive and Mental Disorders Division

02:12:21 Chairwoman Henry
02:13:07 Sen. Schmidt
02:13:28 Chairwoman Henry
02:13:42 Sen. Wanzenried
02:13:53 Chairwoman Henry
02:14:15 Sen. Schmidt
02:14:45 Chairwoman Henry
02:14:53 Sen. Schmidt
02:15:28 Terry Minow, Montana Educators Association-Montana
Federation of Teachers (MEA-MFT)

EXHIBIT(jhh55a08)

02:19:46 Chairwoman Henry
02:19:58 Ms. Minow
02:21:26 Anita Roessmann, Disability Rights Montana

EXHIBIT(jhh55a09)

02:25:22 Dorothy Eck, Montana League of Women Voters
02:29:51 Chairwoman Henry

EXHIBIT(jhh55a10)

02:30:09 Ms. Eck
02:30:12 Chairwoman Henry
02:30:29 Ms. Eck
02:31:24 Madeline Meary, Montana Rescue Missions

EXHIBIT(jhh55a11)

02:33:32 Kathleen McGowan, Montana Sheriffs and Peace Officers
Association/ Montana County Attorneys Association/
Montana Council of Community Mental Health Centers

EXHIBIT(jhh55a12)

02:34:45 Patty Kent, Western Montana Mental Health Center

02:39:12 John Wilkinson, self

EXHIBIT(jhh55a13)

02:43:05 Chairwoman Henry

02:43:11 Mr. Wilkinson

02:43:31 Matt Kuntz, National Alliance on Mental Illness for
Montana

02:45:01 Roxanne Klingensmith, Bozeman League of Women Voters

02:46:18 Shelly Heilweil, Gallatin County Advisory Council on
Mental Health

02:46:48 Janet Vestry, Center for Mental Health

Senior and Long Term Care Division

02:47:47 Rose Hughes, Montana Health Care Association

EXHIBIT(jhh55a14)

02:55:46 Sen. Schmidt

02:56:02 Ms. Hughes

02:57:17 Sen. Schmidt

02:57:25 Ms. Hughes

02:57:30 Sen. Schmidt

02:57:31 Ms. Hughes

02:57:49 Linda Stoll, Montana Area Agencies on Ageing
Association

EXHIBIT(jhh55a15)

02:59:58 Ms. Roessmann

EXHIBIT(jhh55a16)

03:02:31 Mr. Erickson

EXHIBIT(jhh55a17)

03:05:51 Chairwoman Henry

03:05:56 Mr. Erickson

03:06:03 Sen. Schmidt

03:06:19 Mr. Erickson

03:06:23 Sen. Schmidt

03:06:36 Claudia Clifford, AARP

Health Resources Division

03:08:41 Bob Olson, Montana Hospital Association

EXHIBIT(jhh55a18)

03:12:01 Chairwoman Henry

03:12:32 Rep. Hunter

EXHIBIT(jhh55a19)

03:16:32 Chairwoman Henry

03:16:47 Rep. Hunter

03:17:16 Steve Nelsen, Montana Children's Initiative

EXHIBIT(jhh55a20)

03:21:12 Sen. Schmidt

03:21:40 Rep. Hunter
03:21:58 Sen. Schmidt
03:21:59 Rep. Hunter
03:22:17 Ms. Steinbeck

Public Health and Safety

03:23:16 Chairwoman Henry
03:24:12 Mona Jamison, Shodair Children's Hospital

EXHIBIT(jhh55a21)

03:30:38 Ms. Stoll

EXHIBIT(jhh55a22)

03:32:18 Mike Foster, St. Patrick Hospital/ St. Vincent
Healthcare
03:33:25 Rep. Sue Dickenson
03:38:40 Chairwoman Henry

ADJOURNMENT

03:39:23 Adjournment: 11:49 P.M.

Bryce Bennett, Secretary

bb

Additional Documents:

EXHIBIT(jhh55aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
HEALTH AND HUMAN SERVICES SUBCOMMITTEE

DATE: 3/12/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. TERESA HENRY, CHAIR	X	
SEN. DAVE LEWIS, VICE CHAIR	X	
SEN. JOHN ESP		X
SEN. TRUDI SCHMIDT		X
SEN. DAVID WANZENRIED	X	
REP. CAROLYN PEASE-LOPEZ	X	
REP. PENNY MORGAN		X
REP. DON ROBERTS	X	

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Timothy Furey

For the House Appropriations Committee

Prepared by Lois Steinbeck
March 12, 2009 (8:16am)

1. Page B-5, following line 1.

Insert: "a. Provider Rate Review (Restricted/Biennial)

528,432 360,113" [general fund FY10 and FY11]

528,432 360,113" [federal special revenue FY10 and FY11]

2. Page B-5, following line 13.

Insert: "Provider Rate Review must be used develop methodologies to review, evaluate, and establish provider reimbursement rates. The department shall collect and analyze data about providers and populations in the following areas of services: children's mental health services; adult mental health services; developmental disabilities; services provided to children in the legal custody of the state pursuant to Title 41, chapter 3; and senior and long-term care services."

END

Explanation - This amendment appropriates \$1.7 million total funds, including \$888,545 general fund to develop methodologies to evaluate and establish provider rates. The appropriation is restricted.

EXHIBIT 1
DATE 3/12/09
HB 645

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Timothy Furey

For the House Appropriations Committee

Prepared by Lois Steinbeck
March 12, 2009 (8:23am)

1. Page B-4, following line 10.

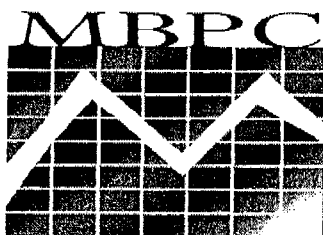
Insert: "c. Services for Developmentally Disabled Children
Between Age 19-20 (Restricted)
\$156,640 \$161,320" [general fund in FY10 and FY11]

2. Page B-5, following line 11.

Insert: "Services for Developmentally Disabled Children is
contingent upon passage and approval of House Bill No. 617.
Services for Developmentally Disabled Children may be used only
to: (1) provide payments to a school district that admits an
individual under the provisions of 20-5-101; or
(b) provide direct assistance to an individual to purchase
community-based services. Services for Developmentally Disabled
Children is a one-time-only appropriation and may not be included
in the base budget for the 2013 biennium budget."

- END -

Explanation - This amendment appropriates \$317,960 general fund
over the biennium to implement HB 617. The appropriation is
restricted and for the 2011 biennium only. If this amendment is
passed the appropriation included in HB 617 will be removed.



Montana Budget &
Policy Center

Policy Brief
03/03/2009

Recovery and Reinvestment in Montana

The \$787 billion American Recovery and Reinvestment Act of 2009 (hereinafter "federal stimulus act") provides extensive relief to states, local governments, and individuals suffering from the current economic downturn. Estimates for total relief provided to Montana and its citizens range from \$636 million to as much as \$1.73 billion.¹ This brief does not attempt to provide a comprehensive list of funding provided under the act, but rather provides:

1. General principles to consider when allocating the funds, and
2. Information on the core components of the act with the greatest potential for providing relief to low- and moderate-income Montanans.²

I. Principles for Allocating Federal Stimulus Funds

Montana Should Honor the Purpose of the American Recovery and Reinvestment Act.

The goals of the federal stimulus act, as stated in the legislation, are:

1. To preserve and create jobs and promote economic recovery.
2. To assist those most impacted by the recession.
3. To provide investments needed to increase economic efficiency by spurring technological advances in science and health.
4. To invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits.
5. To stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.³

The Montana Budget and Policy Center believes that these goals should guide the Legislature in the allocation of both the direct funding from the federal stimulus act *and also* any resulting savings generated in the general fund. For example, the increase in the federal match rate for Medicaid (discussed in more detail below) will decrease the amount of state dollars needed to fund Medicaid services in the state. The resulting money freed up in the general fund should be used in a way that honors the goals articulated in the federal stimulus act.

¹ Center for American Progress, "The Nationwide Allocation of Recovery Funding: An Interactive Map on the Final House-Senate Compromise," February 13, 2009, at http://www.americanprogress.org/issues/2009/02/compromise_map.html.

² For a comprehensive list of funding with the potential to impact Montana, see Legislative Fiscal Division, Federal Economic Stimulus by Subcommittee at <http://leg.mt.gov/css/fiscal/default.asp>.

³ H.R. 1, "The American Recovery and Reinvestment Act of 2009," pp. 1-2, at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.pdf (emphasis added).

Montana Should Use Federal Stimulus Funding to Prevent Cuts in Key Services

Representatives on both sides of the aisle have suggested that federal stimulus funding should only be used to fund "one-time-only" expenditures and should not be used to fund ongoing programs or services.⁴ Such comments threaten to undermine core goals of the federal stimulus act, namely assisting those individuals most impacted by the recession and avoiding reductions in essential services.

Montana revenue, like all states' revenue, is expected to decline rapidly over the next biennium.⁵ At the same time, demand for government services is likely to increase. The federal funding is *intended* to prevent cuts in key services during this time of economic downturn. In other words, when the national and state economy rebound, Montana revenues will also rebound and demand for government programs will likely decrease. The federal stimulus funding should be used to avoid cuts to (and provide adequate present law adjustments for⁶) ongoing programs and services during the interim.

"In normal economic times, government should avoid paying for ongoing spending needs (or permanently cutting taxes) based on a one-time revenue windfall. But these are not normal times. State revenues have plummeted as a result of the recession; the federal stimulus funds are intended to fill in for a portion of the missing revenues, thereby preventing deep budget cuts that would further drag down the state economy."

- Center on Budget and Policy Priorities.
"If States Fail to Use Stimulus Funds as Intended, Efforts to Strengthen Economy Could be Undercut."

Preventing cuts in government services during this downturn is important for at least two reasons:

1. Individuals and families struggling to make ends meet during the recession will need to rely more heavily on government programs and services. Therefore, even if eligibility levels stay the same, Montana can expect to see an increase in demand for government programs such as Unemployment Insurance, Temporary Assistance for Needy Families, and Children's Health Insurance. If government funding for these programs does not grow to meet increased demand for the programs, Montana individuals and families will find government services lacking during their time of greatest need.
2. Cuts in government services harm the economy and could extend the recession. One of the basic tenets of economic policy is that money circulating through the economy – buying goods, paying salaries, generating jobs – is needed to move out of a recession. This is true whether the money is from a big corporation, a small mom-and-pop operation or state and local governments. Governments pay salaries, buy goods and services, and generate jobs, which can be particularly important during a recession, when individuals and businesses are spending and investing less in the economy. Cuts in government spending- including increased vacancy savings- would reduce overall demand for goods and services and further weaken the economy.

⁴ Mike Dennison, "Stimulus Muddies Budget Picture," Helena Independent Record, March 1, 2009, at http://helenair.com/articles/2009/03/02/legi/60st_090301_stimulus.txt.

⁵ Revenue estimates for Montana were reduced by \$511 million by the Revenue and Transportation Interim Committee in November 2008, and further reduced by \$252 million by the House Taxation Committee in February 2009.

⁶ The Legislative Fiscal Division has raised concerns about the ability to fund present law services under the Governor's 2011 proposed budget. See *Legislative Budget Analysis 2011 Biennium, Vol. 1 – Statewide Perspectives*, January 2009, pp. 13 – 14.

If the economy and, as a result, Montana revenue have not rebounded by the next legislative session and additional federal stimulus is not available at that time, the Montana Legislature may be forced to make difficult cuts in spending. Those cuts should not be made prematurely.

Federal Stimulus Funding should not be Used to Fund an Ending Fund Balance

In some cases, Montana may be able to replace general fund dollars with federal stimulus funding. General fund dollars freed up by the federal stimulus funding should be spent on programs, services, and infrastructure that will stimulate the economy and assist struggling families. Neither the federal stimulus funds nor the "saved" general funds should be set aside as an ending fund balance. Doing so would undermine the intent of the federal stimulus act and fail to strengthen the Montana economy.

II. Information on Core Components of the Federal Stimulus Act

Fiscal Stabilization to the States

The federal stimulus act includes a total of \$53.6 billion in fiscal relief for state and local governments. The fiscal relief is separated into two different block grants, one to help prevent cuts to K-12 and higher education (82% of the federal stabilization fund) and another allowing states flexibility to avoid cuts to other key services (18%). Under the state stabilization fund, Montana would receive approximately \$121.6 million from the education block grant and \$27.1 million from the flexible block grant, for a total of \$148.7 million in fiscal stabilization. Both block grants will be available immediately and must be used within 2 years of receipt of the funds. In addition to the block grants, other funds will be available through competitive grants and directly from federal departments.

Education Block Grant

The education block grant funding must be used to:

1. Restore funding to local schools for primary and secondary education to the greater of FY08 or FY09 levels or to existing state formula levels, whichever is higher, for fiscal years 2009, 2010, and 2011.
2. Restore state funding for higher education to the greater of FY08 or FY09 levels, whichever is higher.
3. Allocate any remaining funds to local schools based on the Federal Title I formula. Federal Title I funding is distributed according to the number and proportion of children in a school who are living in poverty.

If funds are insufficient to restore funding to K-12 and higher education, the state must allocate between the two in proportion to their shortfalls. In order to be eligible for the education block grant, states must maintain education funding levels that are at least as high as FY06 funding.

Flexible Block Grant

The flexible block grant can be used to avoid cuts to education or other basic state services such as public safety and law enforcement, services for the elderly or disabled. It may also be used for school repair or modernization.

Education Incentive Grants

In addition, the federal stimulus act includes \$5 billion in education incentive grants which states can apply for based on the progress made on initiatives in the state, such as improving the distribution of teachers between high-poverty and low-poverty schools. One-half of any funds received in education incentive grants must be passed through to local school districts.

Other Education Relief

The federal stimulus bill provides additional funding to states for various specific education programs, to be distributed by the U.S. Department of Education. The bulk of the additional funding for K-12 education is in the form of increases to:

- Title I: Title I grants provide supplemental education funding, especially in high-poverty areas, for programs that provide extra academic support to help raise student achievement.
- IDEA: The Individuals with Disabilities Education Act (IDEA) grants provide funding to assist states and school districts with the costs of special education.

The following table provides estimates from the Congressional Research Service for additional funding under the federal stimulus act for K-12 education in Montana.⁷

Description	Technical Discription	Estimated Additional Amount to MT FY2009
Title I- Education for the Disadvantaged	ESEA, Title I-A Grants to LEAs (Targeted, EFIG, and School Improvement)	\$44,013,000
Education Technology	ESEA, Title II-D	\$3,145,000
Education for Homeless Children and Youth	McKinney-Vento	\$224,000
Individuals with Disability Act- Early Intervention for Infants & Toddlers	IDEA Part C State Grants	\$1,764,000
Individuals with Disability Act- Grants to States	IDEA, Part B (sec. 611)	\$36,708,000
Total		\$85,854,000

⁷ Congressional Research Service, "Estimated grants to states for education programs under the conference agreement to H.R. 1," February 13, 2009, at <http://edlabor.house.gov/documents/111/pdf/publications/ARRA-estimatedstateeducationfunding-20090213.pdf>.

Higher Education

The federal stimulus act also includes increased funding for higher education beyond that which is included in the education block grant, but the available funds either go directly to students (Pell Grants) or to the universities. The act:

- Increases the maximum Pell Grant by \$500 to \$5,350 for 2009-2010 and to \$5,550 for 2010-2011 (distributed directly to students/campuses);
- Provides \$200 million for work-study programs for an additional 133,000 students nationally (distributed directly to campuses).

Medicaid Assistance

The federal stimulus act includes \$87 billion in assistance to states in the form of an increased share in Medicaid expenditures paid for by the federal government for the time period beginning October 1, 2008 through December 31, 2010. Montana will receive an estimated \$180 million of this Medicaid assistance, or roughly \$60 million for FY '09, \$80 million for FY '10, and \$40 million for FY '11.⁸

Key Terms

The **FMAP rate** is the "federal medical assistance percentage" rate. The rate determines the percentage of Medicaid expenditures in each state paid for by the federal government.

The federal Medicaid assistance is made up of 3 distinct streams of funding:

1. The federal stimulus bill contains a "hold harmless" provision for states that would have experienced a reduction in their FMAP rates during 2009, 2010, or 2011. The provision keeps any state from having its FMAP rate reduced during this period. Montana had an FMAP rate of 68.53 in 2008, which was reduced to 68.04 for 2009. Under the hold harmless provision, Montana's FMAP rate will remain at 68.53.
2. All states, including Montana, will receive a 6.2 percentage point increase in their FMAP rate after the hold harmless provision is applied. Montana's current adjusted FMAP rate is 68.53 and will increase to 74.55 under the federal stimulus act. In other words, for every \$25.45 that Montana spends on Medicaid, the federal government will match with \$74.55.
3. Thirty-five percent of the Medicaid funding in the stimulus bill is directed to those states experiencing the worst economic conditions as measured by the biggest increase in unemployment rates. Depending on Montana's increase in unemployment, the state could get a 5.5%, 8.5%, or 11.5% further reduction in the share of Medicaid costs paid by the state. For the purposes of measuring increases in unemployment, a base period is established for each state. The base period is the lowest average monthly unemployment rate for any three-month period since January 1, 2006. For each quarter in which the state sees an increase in unemployment of 1.5 to 2.5 percentage points above the base period, the state's share of Medicaid costs will be reduced by 5.5% (tier 1). If unemployment increases between 2.5 and 3.5 percentage points, the state's share will be reduced by 8.5% (tier 2), and if unemployment increases over 3.5 percentage points, the state's share will be reduced by 11.5% (tier 3). The change in unemployment rate and resultant change in funding will be evaluated each quarter, but no state will see a reduction of federal

⁸ Center on Budget and Policy Priorities calculations based on Government Accountability Office estimates. Center on Budget and Policy Priorities, "Recovery Act Provides Much-Needed, Targeted Medicaid Assistance to the States," February 13, 2009, at <http://www.cbpp.org/2-13-09sfp.pdf>.

funding prior to July 1, 2010. The Government Accountability Office estimates that Montana will fall in the first tier until the third quarter of 2009, when the state will fall into the 2nd tier.⁹

The FMAP increases will apply to Medicaid, Title IV-E foster care and adoption assistance but not to Medicaid Disproportionate Share Hospital payments, CHIP, or other programs that use a federal matching rate based on FMAP.

In order to qualify for any increased Medicaid funding under federal stimulus, Montana must not restrict Medicaid eligibility levels below their July 1, 2008 levels. This includes eligibility restrictions that make it more difficult for recipients to meet procedural requirements for enrollment or renewal of benefits.

Limits to Medicaid Stimulus

The FMAP increases will not be available for payments made to individuals covered by eligibility expansions occurring after July 1, 2008. Most significantly, they will not apply to eligibility expansions under the Healthy Montana Kids Plan Initiative.¹⁰ However, general fund savings resulting from the increased FMAP may be used to fund expansions.

Unemployment Modernization

The federal stimulus act adopted key provisions of the proposed Unemployment Insurance Modernization Act (UIMA), bi-partisan federal legislation that provides substantial financial incentives for the states (\$7 billion) to close the major gaps in the unemployment program that deny benefits to large numbers of hard-working families. *Montana will need to make legislative changes to its unemployment insurance laws in order to maximize this federal stimulus.* In addition, the measure provides \$400 million in necessary funding for state agencies to better serve the record numbers of workers now applying for unemployment benefits and navigating today's challenging job market.

A state qualifies for one-third of its UIMA funding if it has in place a policy called the "alternative base period," which counts a worker's most recent earnings when those earnings are needed for her to qualify for benefits. Nationally, over 40% of workers who currently fail to qualify for benefits because of insufficient earnings will end up collecting benefits with the help of the alternative base period.

To qualify for the remaining two-thirds of the UIMA incentive funding, the states have the option of providing benefits to workers in at least two of the following four situations: 1) part-time workers who are denied state benefits because they are required to seek full-time work; 2) individuals who leave

⁹ Government Accountability Office, Memo to Chairman Baucus, Senate Finance and Claims Committee, "Estimated Temporary Medicaid Funding Allocations Related to Section 5001 of the American Recovery and Reinvestment Act" at <http://www.gao.gov/new.items/d09364r.pdf>.

¹⁰ Center on Budget and Policy Priorities, "Recovery Act Provides Much-Needed, Targeted Medicaid Assistance to the States." ("The FMAP increase would generally apply to all Medicaid costs, except for Disproportionate Share Hospital (DSH) payments made to hospitals that disproportionately serve low-income patients and Medicaid beneficiaries, and payments attributable to individuals newly covered by income eligibility expansions that were not already in place on July 1, 2008. The increase would also not apply to non-Medicaid program costs like SCHIP whose matching rates are based on the FMAP, with the exception of Title IV-E costs. Only the hold harmless and the base increase would apply to Title IV-E costs; the increase related to unemployment would not apply to such costs.")

work for compelling family reasons, including domestic violence; 3) workers with dependent family members who qualify for state benefits but whose benefits should be increased to help care for their dependents; or 4) permanently laid off workers who require extra unemployment benefits to participate in training.

Montana needs to adopt the alternative base period in order to get the first 1/3 of UIMA funding. Montana needs to adopt two additional reforms in order to qualify for the remaining funding.

If those reforms are adopted, the National Employment Law Project estimates that Montana will receive the following funds for Unemployment Insurance Modernization¹¹:

	Estimated Amount
One-third UIMA Incentive Payment for the adoption of the Alternative Base Period	\$5,913,000
Two-thirds UIMA Incentive Payment for adopting two additional modernizations	\$11,826,000
Total maximum share of \$7 billion UIMA distribution	\$17,739,000
UIMA Administrative Allocation	\$1,292,000
Total	\$19,031,000

Other Benefits to Unemployment Insurance Recipients (without Impact to State Budget)

The federal stimulus act also includes:

- A \$25 per week increase in unemployment benefits. The National Employment Law Center estimates that 52,906 Montanans will benefit from the weekly increase during calendar year 2009 with approximately \$26.07 million flowing to unemployed Montanans.
- A continuation of the Emergency Unemployment Compensation Program (previously scheduled to expire in March 2009) through December 2009. An estimated 9,703 Montanans will benefit from the extension of the emergency benefits, with additional benefits paid in Montana totaling \$49.18 million.¹²
- Suspension of taxation on the first \$2400 of unemployment insurance benefits.
- Extension of COBRA benefits for unemployed workers for an additional 9 months with subsidies for 65% of the costs of COBRA coverage.

Training and Employment Services

The federal stimulus act provides \$3.95 billion in additional funding for Workforce and Investment Act programs providing local job training and employment services for dislocated workers and youth. \$2.95 billion of the funding will be distributed through the standard WIA grant formulas. The additional funding will be used for youth programs, competitive grants for worker training and placement in high growth industries, and the dislocated workers assistance and national reserve. The

¹¹ National Employment Law Center, "The Unemployment Insurance Modernization Act: Filling the Gaps in the Unemployment Safety Net while Stimulating the Economy," November 2008, at http://nelp.3cdn.net/be99b1d64d4a1110dc_cgm6b9tpk.pdf.

¹² National Employment Law Center, "American Recovery and Reinvestment Act 2009: Estimates of Jobless Workers Benefiting from Selected Unemployment Insurance Provisions," February 13, 2009, at <http://www.nelp.org/page/-/UI/RecoveryPlanEstimates.pdf>

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Legislative Fiscal Division estimates that Montana will receive \$8.8 million in the additional Workforce Investment Act funding.

Funding for Increased Temporary Assistance for Needy Families (TANF) Caseloads

The federal stimulus act also creates a TANF Emergency Contingency Fund for fiscal years 2009 and 2010 which provides Montana and other states with additional funding in the form of an 80% federal match for increases in TANF expenditures in any of the following three areas:

- Basic assistance,
- Subsidized employment programs, or
- Programs providing short-term, non-recurrent aid.

Increases in expenditures are measured relative to a base year, either 2007 or 2008, whichever has the lower caseload (for the basic assistance category) or lower expenditures (for the other two categories). The base year can be different for each category of spending. Montana's base year for increases in basic assistance will be fiscal year 2008 because the state had lower caseloads in 2008 than 2007. Therefore, to receive the 80% federal match for increased spending in basic assistance, Montana must demonstrate an increase in caseload for the quarter of spending relative to the corresponding quarter of 2008. Increased expenditures, but *not* increased caseloads, are a requirement for the federal match in the other two program areas.

States can meet their 20% match by either increasing spending or by cutting spending in other TANF-related funding, such as child care or child protective services. Emergency TANF funding is available retroactively for any increases experienced in the last quarter of calendar year 2008. No state may receive emergency contingency funds in excess of 50% of the State Family Assistance Grant (not including any supplemental grants). The Legislative Fiscal Division estimates that Montana will receive approximately \$3 million in increased federal funding for TANF. Once Montana qualifies for the funds based on any or all of the three program categories, the state can spend the money in any manner that is permissible under the TANF block grant. The federal stimulus act caps total expenditures for the Emergency Contingency Fund at \$5 billion, roughly double the amount that the Congressional Budget Office estimates will be used by the states.

The legislation also allows all states to maintain current welfare-to-work participation requirements even if TANF rolls increase.

Tribal TANF

The Emergency Contingency Fund is available for tribes with approved family assistance plans in the same manner as it is available to the states.

Supplemental Nutrition Assistance Program (Food Stamps)

The federal stimulus act also includes additional funding for the food stamps program. \$19 billion of the \$20 billion will be used to fund a 13.6% increase in the maximum food stamp benefit, starting April 2009. This increase will benefit over 80,000 Montana families. It will also provide additional administrative funds to assist in the implementation of the benefits increase and rising caseloads. In addition, the food stamp provisions suspend the current three-month time limit for many unemployed adults without children.

The estimated benefits to Montana from this package are reflected in the table below:¹³

	Estimated Amount
Increase in Food Stamp Benefits	\$57,000,000
Administration	\$700,000
Total	\$57,700,000

The federal stimulus act also includes \$5 million for food distribution to Indian reservations.

Emergency Shelter Grant Programs

The federal stimulus act provides increased funding for the Emergency Shelter Grant program, a program providing grants (based on formula) to states and localities for use in homelessness shelter, prevention, and outreach. Twenty-five percent of the funding goes to the states and the remaining to localities. The additional funding can be used by states and localities to provide rental assistance, housing stabilization services, housing relocation assistance, and moving costs. Montana state and local governments are expected to receive \$3.8 million in additional funding through this program, offering assistance to approximately 7,000 Montana households.¹⁴

Weatherization Assistance Program

The federal stimulus act increases funding for the Weatherization Assistance Program, which assists low-income families in reducing energy bills by weatherizing their homes and increasing energy efficiency. The act increases eligibility for the program to 200% of the federal poverty level and increases the maximum benefit amount from \$3,000 to \$5,000. The Legislative Fiscal Division estimates that local entities in Montana will receive grants totaling over \$27 million for additional weatherization assistance.

Additional Support for Children and Families

Child Care Subsidies

The federal stimulus act includes a total of \$2 billion in extra funding for Child Care Development Block Grants, which assist states in providing child care subsidies for low-income parents who are working or involved in education and training. The Center for Law and Social Policy estimates that Montana will receive \$5,747,006, of which \$475,098 must be directed toward quality improvements, and \$275,144 must be directed for quality improvements for infants and toddlers.¹⁵

Child Support Enforcement Division

The federal stimulus act restores a 2006 cut in federal funding for state child support enforcement efforts beginning October 2008 through September 2010. The Center for Law and Social Policy

¹³ Center on Budget and Policy Priorities, "American Recovery and Reinvestment Act of 2009: State-by-State Estimates of Key Provisions Affecting Low- and Moderate-Income Individuals," February 13, 2009, at <http://www.cbpp.org/1-21-09tax3.htm>.

¹⁴ *Ibid.*

¹⁵ Center for Law and Social Policy, "Impact of American Recovery and Reinvestment Act of 2009 on Child Care and Development Block Grant Funding," February 13, 2009, at http://clasp.org/publications/aara_childcarestatealloc.pdf.

estimates that Montana will receive \$7.9 million in additional funds for child support enforcement activities over the next two years.

Tax Cuts for Working Families (no impact on state budget)

Making Work Pay Credit

The Making Work Pay Credit will provide \$400 in tax relief for every worker who is not claimed as another taxpayer's dependent. Eligibility for the credit is limited to individuals with incomes less than \$100,000 and households with incomes less than \$200,000. The credit will be paid through each worker's paycheck, phased in at the same rate as the Social Security tax. The Center on Budget and Policy Priorities has estimated that 356,000¹⁶ Montanans will benefit from this credit, with a resulting \$142,400,000 flowing into the Montana economy.

Expansion of Earned Income Tax Credit

The Earned Income Tax Credit (EITC) has been expanded in two ways in the federal stimulus act. First, benefit levels for families with 3 or more children will be increased. Previously, these families received the same benefits as families with two children. Second, the EITC will begin phasing out at a higher level of income for married couples with children. This expansion will help an estimated 23,807 Montana households that are currently eligible for the EITC and would add 2,777 more eligible households.¹⁷ The expansion of the federal EITC is estimated to bring \$12.5 million to Montana families across the state.

Expansion of Child Tax Credit

The federal stimulus act expands the Child Tax Credit through two different mechanisms: (1) it lowers the income threshold at which families become eligible for the credit to \$3,000 from approximately \$8,500 in 2008 and \$12,550 in 2009, and (2) it increases the benefit for many families receiving the credit. The Center on Budget and Policy Priorities estimates that over 50,000 children in Montana will benefit from the increase in the child tax credit.

The Montana Budget and Policy Center will update this brief as new information becomes available.

¹⁶ Center on Budget and Policy Priorities, "Tax Aid in Recovery Package would Reach Large Numbers of Workers in Every State," February 13, 2009, at <http://www.cbpp.org/1-21-09tax3.htm>.

¹⁷ Kneebone, Elizabeth. "Economic Recovery and the EITC: Expanding the Earned Income Tax Credit to Benefit Families and Places" The Brookings Institution. February 18, 2009 at http://www.brookings.edu/papers/2009/0129_eitc_kneebone.aspx

Testimony on HB 645
Implementing the Receipt and Appropriation of Federal Stimulus Funds
Health and Human Services Joint Appropriations Subcommittee, Room 303
Robert Buzzas, Executive Director
Montana HRDC Directors Association

For the record, my name is Robert Buzzas and I am the executive director of the Montana HRDC Directors Association.

Montana's ten Human Resource Development Councils provide an array of programs that cover the entire state to help low-income individuals and families become self-sustaining and productive members of their community. HRDCs are community-based, nonprofit organizations that work through partnerships with government, private entities and other nonprofit organizations.

There are three formula grants in the American Recovery and Reinvestment Act that HRDCs have implemented as far back as the mid 1970s—those are Weatherization Program, the Emergency Shelter Grants and the Community Services Block Grant.

HRDCs, in conjunction with the DPHHS, are committed to using these funds effectively, successfully and timely and we've been working since December to develop the plans to so. Using Results Oriented Management and Accountability, (ROMA), performance will be benchmarked, measured and assessed.

We are using well established structures, processes and partnerships to ensure that plans are tailored to meet the particular needs and opportunities in each community.

This starts with the tripartite boards that govern every agency meaning that each board is comprised of elected local officials, local business leaders and low-income citizens. The planning continues with the many local partners HRDCs have worked with for decades to determine the local priorities and shape the delivery of local programs.

For example, ESG funds support many local partners, including emergency shelters and others working to prevent homelessness. HRDCs retain only a small percent of these funds for such things as emergency rent payments to prevent evictions or emergency hotel vouchers for homeless or displaced families.

The Weatherization stimulus funding is particularly large, but so is the need. To ensure that these funds are spent out effectively and within a very short time frame, HRDCs began meeting with DPHHS officials in December and have been formulating local plans for the ramping up—as well as ramping down—since then.

There are some significant challenges ahead, but we are ready. We urge you to authorize these funds as soon as possible. Thankyou

EXHIBIT 4
 DATE 3/12/09
 NR 645



GOVERNOR'S OFFICE OF
 BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill #	SB0479	Title:	Developmental disability provider rate increases
Primary Sponsor:	Kaufmann, Christine	Status:	As Introduced

- | | | |
|---|--|--|
| ☐ Significant Local Gov Impact | ☒ Needs to be included in HB 2 | ☐ Technical Concerns |
| ☐ Included in the Executive Budget | ☐ Significant Long-Term Impacts | ☐ Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
Expenditures:				
General Fund	\$2,597,691	\$2,621,177	\$2,624,750	\$2,624,750
Federal Special Revenue	\$3,453,446	\$3,429,960	\$3,426,387	\$3,426,387
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Federal Special Revenue	\$3,453,446	\$3,429,960	\$3,426,387	\$3,426,387
Net Impact-General Fund Balance:	<u>(\$2,597,691)</u>	<u>(\$2,621,177)</u>	<u>(\$2,624,750)</u>	<u>(\$2,624,750)</u>

Description of fiscal impact:

SB 479 requires an increase of 8.23% over FY 2008 for amounts paid to providers of developmental disabilities program (DDP) providers. The increase is to be maintained at the same level for both FY 2010 and FY 2011.

FISCAL ANALYSIS

Assumptions:

- The Developmental Disabilities Program (DDP) had \$93,874,564 of client benefit expenditures in FY 2008 paid to providers of community-based services to people with developmental disabilities.
- An 8.23 % increase to the FY 2008 levels equates to \$7,725,877 ($93,874,564 \times .0823$).

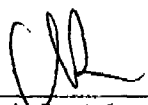
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- 3. The 2007 Legislature appropriated funds for DDP provider rates. The amount appropriated for FY 2009 was \$1,674,740 more than that appropriated for FY 2008. This amount is already included in the Governor’s budget as decision package PL 10003 – Annualize DSD Provider Rate Increases.
- 4. The net increase as a result of this bill is \$6,051,137 (7,725,877 - 1,674,740).
- 5. The provider rate increase is funded using three different funding mixes, of which are calculated proportionally to the FY 2008 expenditures, as follows:

	Fiscal Year	State %	State Share	Federal %	Federal Share	Total Funds
General Fund Only	FY 2010	100.00%	\$938,060	0.00%	\$0	\$938,060
	FY 2011	100.00%	\$938,060	0.00%	\$0	\$938,060
	FY 2012	100.00%	\$938,060	0.00%	\$0	\$938,060
	FY 2013	100.00%	\$938,060	0.00%	\$0	\$938,060
Mixed Medicaid Admin	FY 2010	17.86%	\$1,339	82.14%	\$6,160	\$7,499
	FY 2011	17.86%	\$1,339	82.14%	\$6,160	\$7,499
	FY 2012	17.86%	\$1,339	82.14%	\$6,160	\$7,499
	FY 2013	17.86%	\$1,339	82.14%	\$6,160	\$7,499
Medicaid Federal Medical Assistance Percentage (FMAP)	FY 2010	32.48%	\$1,658,292	67.52%	\$3,447,286	\$5,105,578
	FY 2011	32.94%	\$1,681,777	67.06%	\$3,423,801	\$5,105,578
	FY 2012	33.01%	\$1,685,351	66.99%	\$3,420,227	\$5,105,578
	FY 2013	33.01%	\$1,685,351	66.99%	\$3,420,227	\$5,105,578
Total	FY 2010		\$2,597,691		\$3,453,446	\$6,051,137
	FY 2011		\$2,621,177		\$3,429,960	\$6,051,137
	FY 2012		\$2,624,750		\$3,426,387	\$6,051,137
	FY 2013		\$2,624,750		\$3,426,387	\$6,051,137

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	<u>FY 2010</u> <u>Difference</u>	<u>FY 2011</u> <u>Difference</u>	<u>FY 2012</u> <u>Difference</u>	<u>FY 2013</u> <u>Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Benefits	\$6,051,137	\$6,051,137	\$6,051,137	\$6,051,137
TOTAL Expenditures	<u>\$6,051,137</u>	<u>\$6,051,137</u>	<u>\$6,051,137</u>	<u>\$6,051,137</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$2,597,691	\$2,621,177	\$2,624,750	\$2,624,750
Federal Special Revenue (03)	\$3,453,446	\$3,429,960	\$3,426,387	\$3,426,387
TOTAL Funding of Exp.	<u>\$6,051,137</u>	<u>\$6,051,137</u>	<u>\$6,051,137</u>	<u>\$6,051,137</u>
<u>Revenues:</u>				
Federal Special Revenue (03)	\$3,453,446	\$3,429,960	\$3,426,387	\$3,426,387
TOTAL Revenues	<u>\$3,453,446</u>	<u>\$3,429,960</u>	<u>\$3,426,387</u>	<u>\$3,426,387</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	(\$2,597,691)	(\$2,621,177)	(\$2,624,750)	(\$2,624,750)


 Sponsor's Initials

 2-20-09
 Date


 Budget Director's Initials

 2/19/09
 Date

EXHIBIT 4
DATE 3/12/09
HB 645

1
2 INTRODUCED BY

Senate BILL NO. 479
Chad Kemp
(Primary Sponsor)

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN INCREASE IN RATES FOR PROVIDERS OF
5 COMMUNITY-BASED SERVICES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES; AND PROVIDING
6 AN EFFECTIVE DATE."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 NEW SECTION. **Section 1. Rate increase for providers of services to people with developmental**
11 **disabilities.** For the fiscal year beginning July 1, 2009, the department of public health and human services shall
12 increase rates for providers of community-based services to people with developmental disabilities, as defined
13 in 53-20-102, by 8.23% over the amount appropriated in fiscal year 2008. The rate increase must be maintained
14 at the same percentage level for the fiscal year beginning July 1, 2010.

15
16 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2009.

17 - END -



Easter Seals Goodwill Northern Rocky Mountain, Inc.
Regional Service Center
4400 Central Avenue
Great Falls, MT 59405
(406) 761-3680
Fax: (406) 761-5110

EXHIBIT 5
DATE 3/12/09
HB 695

March 12, 2009

Representative Teresa Henry, Chair
Joint Human Services Appropriations Sub-Committee
P.O. Box 200400
Helena, MT 59620

Dear Rep. Henry:

As your committee considers measures to positively impact our economy and jobs through the "American Recovery & Reinvestment Act of 2009", our company also appreciates the opportunity to submit recommendations. Let me begin by noting that Easter Seals-Goodwill is the 7th largest employer in Cascade County and one of the top 100 employers in Montana. Realizing these are one-time only dollars, here are some options for use of the Economic Stimulus Package on behalf of the people we serve.

1) In the area of Job Training and Employment, we currently conduct training programs to help individuals increase their "soft skills" to help them find and maintain employment. We realize that in addition to funding allocated to DPHHS, some of this area also has dollars allocated to both the Department of Commerce and the Department of Labor and Industry, which is contained in Section A "General Government". With the economic downturn these services could be utilized by many newly unemployed as well. With additional dollars we could expand our services to more people that have not previously been funded by either Medicaid or Vocational Rehabilitation. This would include Veterans, people recently out of prison, seniors that need to return to the job market, and welfare recipients. In our Community Re-entry Programs we have seen recidivism go from an average of 66% to 15% by giving people the needed skills and resources to succeed on the outside.

2) The influx of additional dollars to fund therapy services to children diagnosed with Autism would increase our ability to provide critically needed relationship-based early intervention and occupational and sensory integration therapy. If provided with this type of therapy at very early age children can often lead "normal" lives. We have already seen profound changes in children receiving these services. They learn to communicate and form more typical relationships with their families and teachers and even develop friendships with other children. It's these communication and relationship building skills that we can help them learn between 14 months and 6 years of age that will help them better succeed both in school and later in life. This intervention greatly increases their opportunity to become active contributing members of their families and communities.

The Harvard School of Public Health reported that without early childhood intervention, it can cost \$3.2 million to care for one person with autism over a lifetime. In Easter Seals/Autism Society of America's recent Living with Autism national study some key findings included: 76% of children over 16 with autism have never looked for a job compared to 23% of typical teenagers; 79% of children with autism are likely to still be living in the family home beyond age 18 compared to 32% of typically developing children; and only 14% of parents of children with autism believe their child will be capable of making his or her own life decisions compared to 65% of parents with typical children.

3) We are ready to build a combined facility in the Great Falls area. We currently serve over 9,000 people in Montana and Great Falls is our Corporate Headquarters for our 4-state region. Again, I want to underscore that in Great Falls we are the 7th largest employer with over 250 employees. Our main service center is very old and no longer meets the needs of our participants or our staff and our other 5 leased sites are spread throughout the community making it more difficult to provide a continuum of complimentary services for each service participant. These one-time Economic Stimulus dollars could be utilized to help build this much needed facility combining all services to one location, enhancing the impact of our services and allowing us to serve and employ more people in the community.

Also, one time dollars could be use to offset lease payments which in turn in would free up dollars for us to provide additional needed services.

If the committee needs additional details on any of these options, please let me know.

Sincerely,

Michelle Belknap

President/CEO
Easter Seals-Goodwill Northern Rocky Mountain

Independent Living Youth Transitions Coordinator Funding

Request

We request that funds originally requested through DSD to fund a transitions coordinator be restored as outlined in our original request.

Background

In the summer of 2007 the disability community held a series of statewide MetNet meetings as well as a get together in October of that year to determine what the greatest needs were among the entire community. From these meetings, youth in transition and the coordination of statewide transition efforts emerged as one of the top priority areas among the disability community. As a result of these efforts, the Independent Living community worked with DPHHS and the Disability Services Division to put forth an EPP proposal that was sent to the Governor's office requesting \$50,000/year to allow the Disability Services Division to contract with the Montana Youth Leadership Forum (MYLF) to establish a staff position that would allow for the continued implementation of the statewide Montana Youth Transitions (MYTransitions) Project, which includes the coordination of the state transition conference, maintaining the MYTransitions web site, as well as coordinating statewide Disability Mentoring Day activities; and to establish a statewide system of coordination and communication with the Governor's Advisory Council on Disability and other disability and transition related task forces.

Need

The Montana Office of Public Instruction school year 2007-2008 show that there are 6,287 students with disabilities between the ages of 14-21 in Montana schools.

Of those 6,287 youth with disabilities, the top five categories are as follows:

- 3,775 or 60% have a learning disability
- 831 or 13% have other health impairments
- 497 or 7.9% have an emotional disturbance
- 454 or 7.2% have a developmental disability
- 229 or 3.6% have multiple disabilities

All 6,287 youth will need to plan for their transition to a successful life with a disability after exiting the school system.

Montana needs a coordinated, sustainable approach on the issue of transition. A group of agencies in the public and private sector have worked to create MYTransitions Project which includes a statewide web site (www.montanayouthtransitions.org) and an annual conference that is specific to transition and is cross-disability in approach.

Funds are needed to continue to work of these partners. We are seeking one time only funds through the Federal Reinvestment Act and HB 645 to fund this \$50,000/year budget request to hire a staff person to administer the MYTransitions Web Site, coordinate the annual conference, and coordinate a statewide Disability Mentoring Day. Additionally these funds will be used to conduct regional meetings related to the topic of transition.

The partners in MYTransitions Project have created a framework for partnership between the public and private sector, have demonstrated that these efforts can be sustainable, and now we need the state to become a partner in this transition effort. There are 6,287 reasons why the state should assist in the sustainability of the MYTransitions Project.

January 21, 2009

From: Lorrie Merrill, Director Big Sandy Activities, Inc. Phone: 406-378-2598, Cell 406-581-7288
7bsa@mtintouch.net

Points of information:

1. Big Sandy Activities, Inc. is a non-profit agency serving 21 individuals with Developmental Disabilities (DD) since 1972 in Big Sandy. We currently have 53 employees, not all full time.
2. In the last four years, we have gone into the rates system with requires more transparency. We have with numerous audits with clear boundaries required by law.
3. Currently, the state of MT determines the number of hours I must serve each individual. This is determined by an assessment process.
4. Budget dollars are tied to hours served.
5. The state of MT determines the minimum wage I must pay, which is \$8.50.
6. The state of MT along with CMS determines the criteria for payment. Service currently allowed by Medicaid in day program services are: 1) Individuals work; 2) Individuals receive training; and 3) Individual receives active treatment.
7. We have intense services for individuals who can not work, and 80% are not in training. Therefore we must be involved in active treatment. I was told that 100% of the individuals we serve must be in active treatment.
8. Our day program is housed in an old shop building with three major rooms. There is not enough room presently for equipment necessary for active treatment or for the therapy itself.
9. It was necessary to build on one room. In order to build on a room I had to fix all areas the building was out of compliance- 22 areas. I went to Bear Paw Development and worked towards grants and loan applications. It was more economical to build new then to fix the old shop.
10. A bare bones building cost \$1,254, 848.
11. Financial package, which included a Rural Development Loan/Grant, Montana Department of Commerce CDBG Public Facilities Grant for \$450,000 and a Local Cash Contribution of \$41,650 was based on average Medicaid revenue increases of 4% annually and was consider sound—until recent revenue projections and the subsequent impact on the Governor's budget.
12. We received grants totaling \$573,000. BSA needs \$775,000 from infrastructure funding to replace the Rural Development Loan/Grant as BSA can not make payments towards a 40 year 4% interest loan.
13. Grants for training and equipment total \$110,000. \$550,000 must be returned if project is scrapped.
14. PROJECT IS SHOVEL READY. CTA Architects have been hired and final designs could begin immediately, if project were funded. Bid letting will occur in June/July 2009; Construction Begins in August/September 2009; Construction complete in March/April 2010
15. BSA is Big Sandy's second largest employer. If we can not provide services and are required to repay Medicaid, and eventually close, because be can not comply with services definitions, the economic impact to Big Sandy and Chouteau county will be enormous. Our fiscal (multiplier) impact on our area economy is \$3,690,000

EXHIBIT 7

DATE 3/12/09

HB 645

Montana Legislature Health and Human Services Committee

Representative Teresa Henry, Chair

Senator Dave Lewis, Vice-Chair

Senator John Esp

Representative Penny Morgan

Representative Carolyn Pease-Lopez

Representative Don Roberts

Senator Trudi Schmidt

Senator Dave Wanzenreid

Request for Funding

SUBMITTED FOR

Big Sandy Activities, Inc

Day Treatment Center

March 12, 2009

Project Contact

Lorrie Merrill

Big Sandy Activities

P.O. Box 369

Big Sandy, Montana 59520

Phone: (406) 378-2598

Email: 7bsa@mtintouch.net

Project Description

The project will construct a 5,545 square foot Day Treatment Center on property owned by Big Sandy Activities in Big Sandy, Montana. The estimated cost of this project, which will serve 21 developmentally disabled adults and help secure 45 jobs, is \$1,243,198.00

Purpose of Project

The purpose of this project is to address deficiencies identified in a preliminary engineering report (PAR) prepared by CTA Architects for Big Sandy Activities (BSA). BSA is a not-for-profit agency that provides state-mandated services and support to 21 developmentally disabled residents, each of whom suffers from one or more mental, physical, or emotional disabilities. BSA has a Medicaid contract with the Montana Department of Public Health and Human Services (DPHHS) that enables BSA to receive Title XIX and Title XX Medicaid funding to provide service to its residents.

BSA is proposing to construct a Day Treatment Center that will resolve 19 code violations, functionality, program and safety issues inherent to the existing facility; address program needs and adjacency issues that cannot be remedied through renovation of the current facility; and improve construction systems and lower utility costs that will improve the operational longevity of the facility far into the future.

Project Justification

The Day Activity Program "is the heart" of the programming offered by BSA, as a requirement of its Medicaid contract with DPHHS. CTA has determined that the condition of the existing activities facility is poor in terms of both physical condition and functionality. Conditions that cause the facility to be rated as such stem from site conditions, issues related to the over-crowding or over-use, and improper equipment. The conversion of the structure from its originally constructed purpose is the primary factor contributing to the current condition of the facility. The need to address proper change from one use to another has resulted in a facility that does not meet the minimal life safety standards and requirements.

In addition to operating its Day Treatment Program in a facility determined by CTA not to meet the minimal life safety standards and requirements, the lack of adequate space for physical therapy and furnishings and equipment also represents a significant threat to the health of BSA's 21 clients and as result to the future of BSA.

Jannis Conselyea, Chief Program Support, DPHSS Developmental Disabilities Program, noted in a letter sent to Director Merrill on March 15, 2007, "it is a requirement of BSA's Medicaid contract that BSA meet the health and safety of its clients. Active treatment and therapeutic positioning and having proper equipment to position individuals with severe developmental disabilities are critical to the quality of health an individual has." In her letter, Conselyea cited nationally known consultant Karen McGowan, who, during a visit to Big Sandy in 2007, observed that BSA has "a difficult time meeting the individual's very serious physical needs, because you lack the space and the necessary equipment to complete such active treatment."

This type of facility deficiency is in direct conflict with the Medicaid Developmental Disabilities Program under which the BSA organization operates. The Medicaid Home and Community Services Program defines, Habilitation Services (Section 37.34.941), which is the basis for licensure of Big Sandy Activities, as a care provider. Under this program, Habilitation services are defined as "services that stimulate and maintain the development of a recipient's skills or that reduce behaviors, which interfere with the recipient's development."

Total Cost of Project and Detailed Budget Breakdown

Activities	Estimated Cost
Publication	\$ 750.00
Legal Costs	\$ 1,000.00
Professional Services	\$ 25,000.00
Audit	\$ 8,000.00
Travel & Training	\$ 500.00
Architectural Services	\$ 73,033.00
Construction	\$ 913,761.00
Equipment & Furnishings	\$ 71,863.00
Contingencies	\$ 149,291.00
Total Project Cost	\$ 1,243,198.00

Sources of Funds	
Montana CDBG Public Facilities	\$ 450,000.00
Big Sandy Activities	\$ 30,000.00
Federal Appropriation	\$ 763,198.00
Total Project Cost	\$ 1,243,198.00

Project Schedule

<i>Design Complete</i>	<i>July 2009</i>
<i>Bid Project</i>	<i>August 2009</i>
<i>Award Project</i>	<i>October 2009</i>
<i>Construction</i>	<i>November 2009</i>
<i>Owner Occupancy</i>	<i>May 2010</i>

Supporting Organizations and/or Individuals

- Montana Department of Health and Human Services
- McGowan Consultants, Inc.
- Town of Big Sandy
- City of Fort Benton
- Chouteau County
- Senator Jerry Black, Montana Senate District 14
- Big Sandy Area Chamber of Commerce
- Marlys Bitz Insurance
- Big Sky Auto & Ag LLC
- Wells Fargo Bank, Big Sandy
- Big Sandy Supply
- Opportunity Link
- Opportunity Resources, Inc.
- Bear Paw Development Corporation of Northern Montana
- Katheryn Sherand
- Phyllis Smith
- Imajean Helgeson
- LeAnn Nickol
- Barbara Kodalen
- Roger Bell
- Beverly Kasper
- Enid Mac Lowry
- Kay Dyrland
- Lois Adolf
- Thelma Bibbee
- Marion Bibbee

MEA-MFT vacancy savings fact sheet

What is the proposed vacancy savings rate at 24/7 facilities?

The proposed vacancy savings rate at 24/7 facilities is 4%. A 4% vacancy savings at 24/7 facilities will result in inadequate staffing, mandatory overtime, unsafe working conditions, a decline in the quality of services provided, and problems of recruitment and retention.

How will a 4% vacancy savings rate affect the prisons?

Thirty nine positions will have to be left vacant, mostly at Montana State Prison. Mandatory overtime is already creating problems at MSP. Understaffing would result in unsafe working conditions, problems with recruitment and retention, and morale problems.

What is the proposed vacancy savings rate at probation and parole? How will a 7% vacancy savings rate affect probation and parole?

In Adult Probation and Parole, 22 positions will have to be left vacant. In Juvenile Probation and Pine Hills, 10 positions will have to be left vacant.

How will vacancy savings affect state health care facilities?

Montana State Hospital is already experiencing a high rate of violent assaults on staff—over 247 between July 1, 2007, and June 30, 2008. Montana Development Center is understaffed, leading to increased risk for assaults on staff and patients by younger and more violent patients.

MEA-MFT proposal--

Vacancy Savings exemption for 24/7 facilities and probation and parole:

Exempt direct care staff at 24/7 facilities including MT State Hospital, MT Developmental Center, MT Columbia Falls Montana Veterans Home, MT Chemical Dependency Center, Pine Hills Youth Correctional Facility, Riverside Youth Correctional Facility, Montana Women's Prison, and Montana State Prison. Exempt probation and parole officers from vacancy savings.

Why use American Recovery and Reinvestment (ARRA) funding to reverse vacancy savings?

Excerpt from US Department of Education State Fiscal Stabilization Fund fact sheet on ARRP:

“Funds to Support Public Safety and Other Government Services”

“States must use 18.2 percent of the SFSF funds for education (school modernization, renovation, and repair), public safety, (*emphasis added*) and other government services. This may include assistance for early learning, elementary and secondary education, and IHEs. In addition, states may use these funds for modernization, renovation, or repair of public school and public or private college facilities.”

Public safety will be enhanced, and jobs will be maintained or created, as a result of using ARRA funding to eliminate vacancy savings in these agencies.

A Legislative Priorities & Funding Consensus for Mental Health

Central Service Area Authority
 Disability Rights Montana
 Montana Children's Initiative
 Montana Coalition Against Domestic and
 Sexual Violence

Montana Community Mental Health Centers
 Montana County Attorneys Association
 Montana Licensed Professional Counselors
 Montana Mental Health Association

Montana Sheriffs & Peace Officers Association
 National Association of Social Workers,
 Montana Chapter
 Rocky Mountain Development Council

*We propose to make effective use of federal economic stimulus appropriations
 by investing in community services development through these one-time appropriations:*

	Children	Adults
Services	System of Care and KMA sustainability Governor's proposal \$742,000 + [HB 65] NEW \$750,000 = 1.4 mill	Plan 189 Governor's proposed \$800,000 + NEW \$800,000 = \$1.6 mill Community crisis beds demonstration grant [HB 130] \$2.5 mill + [HB 131] \$821,000 + [HB 132] \$3.4 mill = NEW \$6.5 mill
Training	Wraparound training NEW \$82,608 Parent leadership training NEW \$49,896	Crisis Intervention Training for law enforcement officers (6 classes at \$17,000 each) NEW \$102,000
Other		Suicide Screening Pilot [HB 60] NEW \$453,000

Community crisis beds demonstration grant

1. This one-time appropriation for crisis services has to demonstrate sustainability by having a substantial impact on the state hospital census. When the state hospital census stabilizes below 135, MSH will be able to close its overflow facilities in the Spratt Building (60 patient capacity) and old Receiving Hospital building (now 20 patients).
2. To achieve sustainability, this funding must:
 - a. Augment the service continuum in the community with additional secure treatment beds and other crisis stabilization and transition services in order to create effective alternatives to treatment at Montana State Hospital for many patients; and
 - b. Make the transition from community crisis services to the rest of the community services continuum seamless and successful.

EXHIBIT 9
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3. The HB 130 crisis services development plans, which may developed by individual counties or by regional collaboratives, must be aimed at diverting patients away from the State Hospital in order to qualify for state matching funds.
4. Because the county plans will be funded with a combination of county and state dollars, and because each county plan will be unique:
 - a. HB 130, 131 and 132 may need to be amended to allow for maximum flexibility. For instance, a county may want to pay for part of the cost of diversion (since counties are already paying for two week in-patient stays through pre-commitment costs) but want the state to make a larger contribution to emergency detention beds.
 - b. The appropriations should be taken out of the bills and the bills reference "the crisis services demonstration grant" funded by HB 2 instead.
 - c. The crisis services appropriation should be biennial to allow for maximum flexibility in responding to community needs.
5. General fund appropriations included in the Governor's budget proposal for community mental health services are integral to the success of this demonstration project. For instance, funding for telemedicine may be critical to the success of crisis stabilization programs developed in small communities, and 72-hour presumptive eligibility funding is necessary to prevent smaller crises from becoming much larger ones.

Children's System of Care and Kids Management Authorities

The additional \$375,000 per year in this proposal allows the Children's MH Bureau to complete the federal System of Care SAMHSA grant, through September 2010, and:

1. Captures a 25% local match (about \$350,000 in five communities over the biennium).
2. Draws a 33% federal match (almost \$500,000 over the biennium)
3. Completes the youth and family outcome data gathering initiated under the grant.
4. Keeps five KMA's staffed at current levels, including
 - a. Parent and youth support groups
 - b. Multi-agency case staffing and care coordination for children with complex service needs
 - c. Assessments, therapy and respite services for some youth who don't qualify for CHIP and Medicaid
5. Allows completion of joint Department/Legislative review and evaluation of the System of Care and KMA's so that there is a consensus on how to proceed.

Training funds

These proposals invest one-time "stimulus" dollars into human capital: mental health care providers, law enforcement officers and children's services providers who will develop skills for new systems.

How A Crisis Services Demonstration Grant Would Work

The three crisis services bills developed by the Law and Justice Interim Committee have very broad and deep support among mental health system stakeholders and a combined price tag of \$6.5 million for the biennium.

The Demonstration Grant provides a way of funding community crisis services developed under HB 130, 131 and 132 with one-time money, by funding counties to develop local crisis services capacity, including secure in-patient beds, that reduces inappropriate use of the State Hospital for emergency detention and short-term stabilization.

Our communities lack secure crisis services and in-patient capacity for mental health care because those levels of care are not funded for the majority of those who need them. Most people who present in crisis have no insurance or other way to pay for inpatient services. The Montana State Hospital, which will cost \$34 million per year over the next biennium, is a “free” service paid for almost entirely with general fund, and it has become the *de facto* crisis services provider for much of the state. But since the only way to get services at the State Hospital is a civil commitment order signed by a judge, people need to reach a crisis point of dangerousness to themselves or others before they can get help in an inpatient setting. A long trip across the state in handcuffs in a patrol car and diminished civil liberties are also part of the price the patient pays for getting treatment. While they are at the State Hospital, patients lose their social security benefits, jobs, housing, animal companions, mail and other community ties. For the state and local governments, the high costs of this system include commitment litigation, pre-commitment treatment, transportation, and the time-consuming challenge of successfully returning patients to the community, where recidivism rates are high. The average 63-day stay, at \$516 per day, costs \$32,508 in general fund dollars.

The State Hospital census has reached 220 patients per day in recent years, though it was intended by the Legislature to be a 135 bed facility. That goal appeared attainable in the mid-1990's, but after the demise of mental health managed care in 1999, the population began to balloon. After the 135-bed main hospital building opened in 1999, administrators were forced to re-open the Spratt Building and eventually the Receiving Hospital to house the overflow population. Both buildings are plagued with licensing problems and maintenance issues; the Spratt Building is considered unsafe by patients and staff alike.

The Demonstration Grant funds the development of a continuum of community crisis services with the objective of reducing inappropriate reliance on the State Hospital. The goal of the Demonstration Grant is to demonstrate sustainability by stabilizing the State Hospital population at its intended level of 135, at which point the Spratt Building (44 patients) and the Receiving Hospital (20 patients) can be closed and those savings channeled into community services instead. The Demonstration Grant probably won't achieve that goal by 2011, but we believe it will make a substantial impact during that time.

A number of factors have combined to make the Demonstration Grant likely to succeed:

- ◆ The Law and Justice Interim Committee studies found community crisis services were critical to ending criminalization of mental illness and overuse of the State Hospital.
- ◆ The Legislative Mental Health Study, requested by the Children and Families Interim Committee, concluded that funding adequate community crisis services needs to be a priority for Montana.
- ◆ Local leaders from around the state were united in calling for crisis services funding so that they can do a better job of serving people with mental illness in their homes and communities.
- ◆ Over 60 new psychiatric treatment beds are opening or could open across the state during the next year: 6 just opened in Butte; 12 are scheduled to open on the campus of Bozeman Deaconess Hospital by December 2009; 24 adult psychiatric beds will open at St. Peter's Hospital in Helena in June; and 4 beds may be re-opening at the Glendive Medical Center. In addition, the Billings Clinic is reportedly considering re-opening as many as 16 psychiatric beds for diversions, as provided in HB 132.
- ◆ The crisis plans funded through the Grant will be bottom-up proposals, designed by the communities that know their assets and their needs the best, and the Grant will have the funding flexibility that the plans require.
- ◆ The Governor's successful effort to reduce the State Hospital census during FY 2008 and 2009 shows that a focused and flexibly funded initiative can work. Named "Plan 189" after the licensed capacity of the State Hospital, the Governor's program uses a discretionary fund to pay for services that are necessary to help patients return to the community. At a cost of \$1.3 million during 2009, Plan 189 has achieved its objective.
- ◆ The Demonstration Grant builds on work that began in 2007, which increased funding for the Mental Health Services Plan and 72-hour presumptive eligibility, which are already believed to be contributing to the reduced State Hospital census.
- ◆ The Demonstration Grant holds out the promise that the State Hospital can refocus its mission and provide the highest quality of care.
- ◆ **Demonstration Grant goals are in accord with the goals of federal "stimulus" spending: to create jobs quickly and to build capacity today that will save money in the future.**

The Consensus group that has proposed the Demonstration Grant would prefer to see HB 130, 131 and 132 funded with an on-going rather than a one-time appropriation. As a state, we need to make a commitment to funding a full continuum of services at the local level in order to minimize disruption to individuals, families and communities and maximize the potential for stability and recovery at home. But if one-time funding is all we have right now, then we see a silver lining: A Demonstration Grant is an opportunity to show policy-makers and administrators what our communities can achieve with a focused effort and support from their state partners.

EXHIBIT 10
DATE 3/12/09
HB 645

March 12, 2009

The Mental Health Position of the Montana League of Women Voters supports the establishment and maintenance of effective community based mental health services, treating the mentally ill with dignity and providing them with a supportive social environment.

We followed and were most impressed by the work of the Interim Committee on Law and Justice and their proposals found in HB 130, 131 and 132, designed to provide less costly and better patient outcomes with humane community care, close to family, friends and jobs.

We understand that after strong support in House Judiciary Committee, the bills were sent to House Appropriations and had good hearings in your subcommittee but when they went back to the full committee, they were faced with a need to cut any new funding. We believe that the concept and proposed programs are so important that they must be saved.

We join with others who are asking:

**That the full Appropriations Committee approve HB130, 131 and 132 amended to remove mandatory state funding.

**That HB 645 include one time funding as appropriate to get these programs started.

**That the bills be approved in House Appropriations and considered by the House along with other "cats and dogs".

**That whatever coordination or contingency language is necessary be included in the bills.

We ask you to recognize the years of work that have gone into developing a workable mental health system for our communities and for Montana. These bills will provide a significant step in building that system.

Dorothy Eck
10 W Bayfield
Bozeman, MT
dorothyeck@bozeman.net
406-586-5911

EXHIBIT 11
DATE 3/12/09
RE 645



MONTANA RESCUE MISSION

HOPE FOR THE HOMELESS FOR OVER 50 YEARS

Gary Drake, Executive Director

P.O. Box 3232 • Billings, MT 59103-3232 • (406) 259-3800 • Fax (406) 259-4638

March 10, 2009

To Whom It May Concern:
RE: The Community Crisis Center

Greetings:

At the men's shelter we work directly with the Community Crisis Center almost everyday. We know what they are about and how vitally important they are to provide a personal, caring link to those in our community who suffer from substance abuse, mental illness and acute crisis in their life.

Out of all the provider agencies we work with, the CCC is the most effective for care, content and immediate availability. The staff and leadership of CCC is some of the best I have seen for provider agencies in my ten plus years at the mission. To consider that they may not be adequately funded is unthinkable, in my opinion.

Funding for the CCC is funding dollars going directly to the people who need it the most, namely, those in life-crisis situations. It is an investment that could save many lives.

Sincerely,

Tracy Hansen
Men's Shelter Manager

*Society of St. Vincent de Paul
2610 Montana Ave.
Billings, MT 59101-2340
(406) 252-1855 – Fax: (406) 839-9160
Website: svdpmt.org*

March 10, 2009

MarCee Neary
Community Crisis Center
704 North 30th Street
Billings, MT 59101

Dear MarCee,

This letter is in support of your grant request for funding to continue the service rendered to the Billings Community by the Crisis Center. As you know, we at St. Vincent de Paul already work closely with the Crisis Center by referring people who appear unstable to the Center, many times physically taking them there. We also work with the Center by assisting those you refer to us who are in need of food, clothing, shelter or other assistance.

The Crisis Center has grown to become an important asset to those dealing with the homeless, the addicted and the mentally unstable in the Billings Community. Not only have you touched their lives in a positive way, but you have also provided a much needed service to other service providers in the Billings Community. You have become a resource for law enforcement and emergency medical personnel who are dealing with the above types of people. You have served as a triage center for the Mental Health Center and both Billings Hospitals. You have become a temporary shelter for so many others in crisis. You have educated so many of us in improving how we deal with the unstable. The loss of your services would create a void that no one in Billings is prepared to fill.

If there is anything else that I can provide in support of your funding request efforts, please feel free to contact me.

Sincerely,



Harold Merchant
Director, St. Vincent de Paul, Billings



We give a "Hand Up" not a hand out

March 6, 2009

To Whom It May Concern:

As the Executive Director of a private non-profit social service agency, I see on a daily basis individuals who have at times had no place to turn for the immediate help and care they need in their struggle. Since its inception, the Community Crisis Center in Billings, Montana has been instrumental in providing the much needed immediate assistance that we cannot and are not qualified to give. Our mission since 1906 has been Caring for People by Giving as Hand Up not a Hand Out, and there is no better way to care for people than to direct them to professionals who are qualified. By necessity, Family Service, Inc. has several times in the past had to refer our clients to the Community Crisis Center.

I also am the Chairman of the City of Billings Mayors Committee on Homelessness and a very large percentage of the homeless in any community are subject to mental crisis at any given time. In the committee's efforts to assist the homeless, the Community Crisis Center has proved to be an invaluable asset for the homeless and the community as a whole.

I unabashedly support the Billings Community Crisis Center and support their efforts and endeavors of securing funding via the grant application process. Billings, Montana needs the Community Crisis Center.

Sincerely,

Paul L. Chinberg
Executive Director
Family Service, Inc.

Over a Hundred Years of Caring

1824 1st Ave. North ♦ P.O. Box 1020 ♦ Billings, MT 59103
Phone: (406) 259-2269 ♦ Fax: (406) 259-7940 ♦ www.famserv.com



EXHIBIT 12
DATE 3/12/09
HB 645



Gallatin Mental Health Center Campus

Consumer Drop-In Center

March 12, 2009

BECHTLE
ARCHITECTS

Bozeman, MT

Western Montana MENTAL HEALTH CENTER

Regional Administrative Offices
T-9 Fort Missoula Rd. • Missoula, MT 59804
(406) 532-8400 • (406) 543-4536 (FAX)

John Lynn
Bldg. T-9 Fort Missoula
Missoula, MT 59804

Senator David Wanzenried
P.O. Box 200500
Helena, MT 59620-0500

12 February 2009

Re: Shovel ready construction projects with 100% direct consumer benefit

Dear Dave:

Thank you for your phone call and your interest in mental health. This letter is to elaborate on the information earlier sent.

As you well know, mental illness is the leading cause of disability in North American adults. Substance Abuse is the second leading cause of disability. In Montana, approximately 50-60% of our citizens who have mental illness also have a substance use disorder. In 2008, the Addictive and Mental Disorders Division of the Montana Department of Public Health & Human Services provided mental health service to about *1 in 32 adults*.

Although mental illness is highly treatable, access to services and maintenance of treatment are particularly problematic without safe, decent and affordable housing. One of the most tragic results of un- or under-treated mental illness is suicide; ***Montana continually maintains one of the highest suicide rates in the nation.*** The stabilization provided by safe, decent and affordable housing is the critical link to engaging in successful mental health treatment.

The Western Montana Mental Health Center (MHC) provides mental health services in fifteen counties in Montana. In Gallatin County, the MHC serves approximately 1,500 individuals, a vast majority of whom have a monthly income of less than \$700 or about 18% of area median income (AMI). At the same time, the 20,000 rental units in Bozeman demand an average rent greater than \$700 month.

After five years of negotiation with Bozeman Deaconess Hospital (BDH) and community stakeholders, BDH recently donated five acres of land to the Western Montana Mental Health Center to develop a comprehensive mental health campus for Gallatin County.



⊕ NTS

GALLATIN MENTAL HEALTH CENTER CAMPUS

MASTER SITE PLAN

FEBRUARY 2009



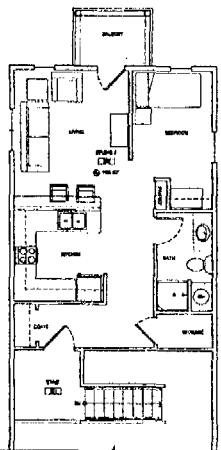
HOPE HOUSE

BECHTLE
ARCHITECTS
BOZEMAN, MT



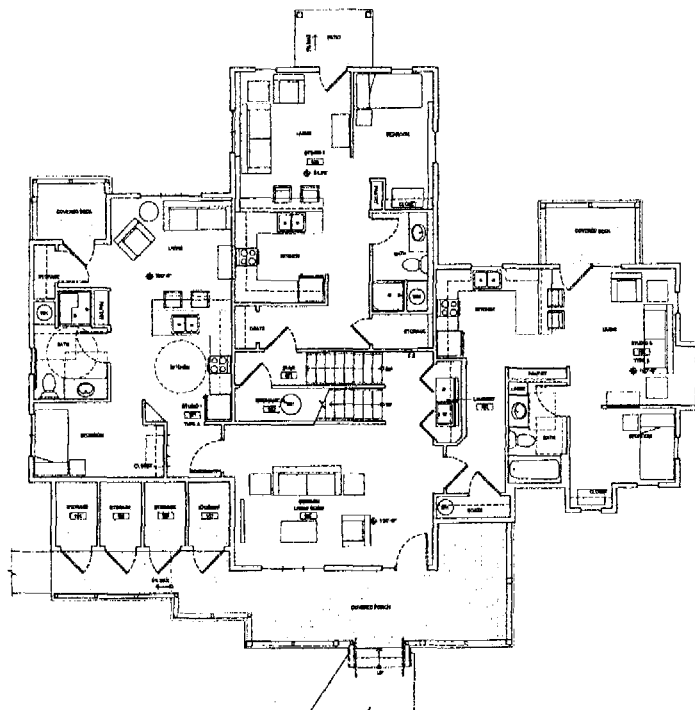
DOROTHY ECK HOUSE

 BECHTLE
ARCHITECTS
BOZEMAN, MT



2 UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"

BUILDING AREA SUMMARY
 SECOND FLOOR - 1,100 SF
 TOTAL FLOOR AREA - 1,100 SF
 TOTAL BUILDING AREA - 1,100 SF
 EXTERIOR ROOM - 400 SF
 EXTERIOR ROOM - 400 SF



1 MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"



**DOROTHY ECK
HOUSE**
Bozeman, Montana

**BECHTEL
ARCHITECTS**
100%
CONSTRUCTION
DOCUMENTS

100%
CONSTRUCTION
DOCUMENTS

FLOOR PLAN

A2.1

MAY 20, 2008

HOUSING AND REAL ESTATE DEVELOPMENT EXPERIENCE

Patricia Kent is the developer/grant writer for the W. MT Mental Health Center which includes the Flathead-Lake and Garden City CHDO housing development entities. She has developed and managed all 17 housing projects below that include home ownership, multi-family rentals, traditional group homes, TBRA, crisis stabilization and transitional housing for the chemically addicted with social detox and developed three multi-million dollar mental health service campuses in Missoula, Hamilton and Kalispell and new office buildings in Superior and Libby.

(Major funding source in parentheses)

Flathead-Lake CHDO:

- TBRA: A 10-unit rental assistance program for the mentally ill in Bozeman. (HOME)
- Sinopah House, an 8 bed SRO for emotionally disturbed teenage girls, in Kalispell. (HOME)
- Lone Pine Lodge: 5 bedroom SRO/Group home for adults with mental illness, in Kalispell. (HOME)

Garden City CHDO:

- The Condominiums at 1421 Eaton Street, a joint venture between the Garden City CHDO and the Missoula Housing Authority, a 36-unit home ownership project for low to moderate-income households, including affordable homeownership for seven persons with mental illness, winner of the 1996 National NAHRO Award for Innovative Home Ownership; (HOME, AHP)
- The Bridge Apartments, 20 units for the homeless mentally ill, completed in December, 1997, was recognized for it's "Excellence in the HOME Program" by HUD Secretary Cuomo. (CDBG, HOME).
- OUR House and the Spurlock Apartments, seven group home beds and 8 units of supportive living in Butte; received a HUD BEST Practices Award in 2001, a (HOME, MBOH).
- Graham Home: Phase I a 6 unit SRO for single parent woman in addiction treatment with children, living together for holistic treatment of the parent and family. (HOME).
- Graham Home: Phase II. three step down apartments for graduates of Phase I, (HOME)

- Carol SEM Apartments: 6 step down apartments for persons who have completed residential addiction treatment, located in Missoula. (HOME).
- SHARE House: 16 beds: transitional housing and treatment for the chemically addicted including 4 beds for social detox, Missoula (AHP, Federal Approp)
- Safe House: Kalispell, 6 bed Residential Crisis Stabilization. (AHP)
- Stephens House: 6 bed Residential Crisis Stabilization Missoula (AHP)
- Dakota Place: 7 bed Residential Crisis Stabilization Missoula (City CDBG)
- Walnut Street, Missoula, 4-plex independent living. (MBOH)
- Hartman Apartments; Missoula, 4-plex independent living. (MBOH)
- Independence House, Kalispell, 4-plex independent living. (MBOH)
- West House: an 8 bed supportive housing and crisis stabilization program in Hamilton. (HOME)
- Gilder House: 12 bed secure residential crisis stabilization in Butte. (CDBG/MBOH)
- Commercial: Comprehensive mental health service campuses in Missoula, Kalispell, Hamilton, and new offices buildings in Superior and Libby.

**Montana Residentially-Based Services Reform Pilot Project-Using one-time-only
Human Service Economic Stimulus Funds**

Montana has the opportunity, through the use of **one-time-only human service economic stimulus** funds to effectively transition many very seriously disturbed children from group homes and psychiatric facilities into a "permanent home" with a permanent family.

This effort will be built upon the Children's System of Care Initiative, but building a sustainably funded community and family based "permanency" initiative requires that **Montana's statutory agencies charged to "protect," "treat," "correct," and "educate" Severely Emotionally Disturbed Children actively participate and invest in developing a "sustainable, outcome oriented, and cost-effective children's system of care.**

Most other states have learned that "sustaining" systems of care initiatives required blending and reallocating federal title IV-E, and Medicaid EPSTD funds, along with the state general fund "family preservation" and juvenile justice placement funds.

Three pilot projects are being proposed demonstrating that Residentially-based services should be a specific option chosen as a means to achieve the specific outcome of permanency.

Montana's providers of residential care and treatment are **"shovel ready" to begin building a cost and outcome effective System of Care.** This represents a significant "infrastructure" investment in children and youth that presently utilize an inordinate percentage of Montana's placement and treatment resources.

The program with which I worked in California for 4 years achieved a **92% successful graduation rate** working with the most severely emotionally disturbed children and their families.

Milwaukee, Wisconsin estimated that, without having re-designed its system and re-directed dollars, child welfare spending on residential treatment would have increased from \$18m in 1996 to \$43m today; instead, Milwaukee is spending less on residential treatment today than in 1996, and serving more children.

We are being asked and challenged by our President and our Governor to develop new approaches toward solving old problems. This proposal embraces the most promising evidence based practices for **achieving durable treatment outcomes in a cost-effective manner.**

Respectfully Submitted,

John Wilkinson, MSW
john@naswmt.org
449-6208



EXHIBIT 14
DATE 3/12/09
HB 645

36 S. Last Chance Gulch, Suite A Helena, MT 59601 Telephone (406) 443-2876 Fax (406) 443-4614 E-mail info@mthealthcare.org

HB 645 - Stimulus Bill
Joint Appropriations Subcommittee on Health and Human Services
MHCA Budget Priorities
for Nursing Homes and Assisted Living

1. **Provider rate increase for nursing homes.** Needed to cover the cost of inflation in the goods and services we purchase and contract for. Medicaid rates are currently \$10 per patient day below the actual documented cost of care. If nursing homes receive a rate increase of 3.5% each year of the biennium, at the end of the biennium rates will still be about \$10 per patient day below the cost of care - but at least we will not have lost additional ground.

Cost: FY 2010 \$1.3M GF FY 2011 \$2.7M GF

Justification: Nursing Home stabilization. This funding will help facilities that receive medicaid funding to maintain current level of services and quality to residents. To avoid staffing and other cuts that will otherwise occur.

2. **Provider rate increase for assisted living.** We are asking for an increase of \$5 per day for FY 2010 and an additional \$5 per day for FY 2011 to improve access to assisted living services under the waiver. This is not an "inflationary" increase - but is designed to "catch up" rates that are so low that access has become a problem. We are beginning to develop a two-tier system in assisted living - where Medicaid beneficiaries are treated differently than others. Facilities are doing this as a way to accommodate Medicaid beneficiaries but it is not a good trend.

Cost: FY 2010 \$220,000 GF FY 2012 \$446,000 GF

Justification: Waiver service stabilization and access. Waiver slots have been approved to serve the waiting list. About half of the people on the waiting list are waiting for assisted living services. In order to accomplish the goals of the new slots, to assure access and choice, and to be able to continue the nursing home transition program, it is necessary to improve access to assisted living services. Without additional funding it is likely that access to this service will continue to decline. Assisted living facilities do not benefit from wage payments or the health care insurance programs.

3. **Wages or lump sum incentive payments for staff.** Should include direct care staff as well as other low paid staff - dietary, housekeeping, maintenance, etc. We estimate that the number of employees meeting this definition for nursing homes would be about 4,500. A \$1,000 payment to each worker is equal to just under a 50-cent per hour payment. If you made the payment each year of the biennium the cost would be approximately as outlined below.

Cost: FY 2010 \$1.17M GF FY 2012 \$1.17M GF

Justification: Stimulus payment for low income workers. Without ongoing provider rate increases, nursing homes will not be in a position to raise the hourly wages of their employees, even though those employees are experiencing the same increases in costs that we all are experiencing. With OTO funding, a lump sum payment can be

www.mthealthcare.org

*MHCA...providing leadership and empowerment within the long term care continuum
through education, advocacy, information and support to our members.*

made on July 1 of each year. These payments will help these hard-working individuals and also help the economy. Payments made to these individuals is likely to be spent quickly in communities all over the state. This will also help avoid staff cuts and cuts in hours already being experienced in some facilities.

4. **Equipment and Capital Improvements.**

- a. **Quality improvement and safety grants.** This funding could be available for equipment such as electric beds, lifts, bathing systems, specialized mattresses to reduce pressure, alarm and security system updates, etc. This equipment would improve quality of care and safety of residents and also benefit employees in terms of safety and injury prevention. If each nursing home in the state (87) identified \$100,000 worth of equipment that would improve the lives of residents and staff, the total cost would be \$8.7M total funds, or \$2.2M GF. The amount allocated could be more or less than \$100,000 per facility and the cost would change accordingly. DPHHS would have to allocate the funding among facilities based on Medicaid utilization in order for this funding to qualify as Medicaid payments and qualify for Medicaid matching funds.
- b. **Other capital improvements.** Facilities have identified a number of capital improvements that could be funded with OTO. These include renovations consistent with the Federal government's push for culture change, such as room conversions and improvement of common areas such as bathing, dining and recreation areas. Paving of outdoor walkways to better comply with standards for egress as well as other outdoor improvements up to and including new roofs have been mentioned. As in the equipment funding above, the legislature could determine an amount of money available and it could be allocated according to Medicaid utilization.

Justification. Equipment and capital improvements will help stabilize our facilities, which tend to be older buildings. They will also improve the quality of care, health and safety of our residents. Updated equipment will improve staff safety (for example, lifts). These purchases and projects will also serve to stimulate the economy.

5. **Enhanced federal match rate.** Each of these proposals are eligible to receive Medicaid matching funds. Our cost estimates are based on the program taking full advantage of the enhanced federal match rate.

*Rose M. Hughes, Executive Director
Montana Health Care Association
36 S. Last Chance Gulch, Suite A
Helena, Montana 59601
Telephone 406 443 2876
March 12, 2009*

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NURSING HOMES - HB 2 Compromise

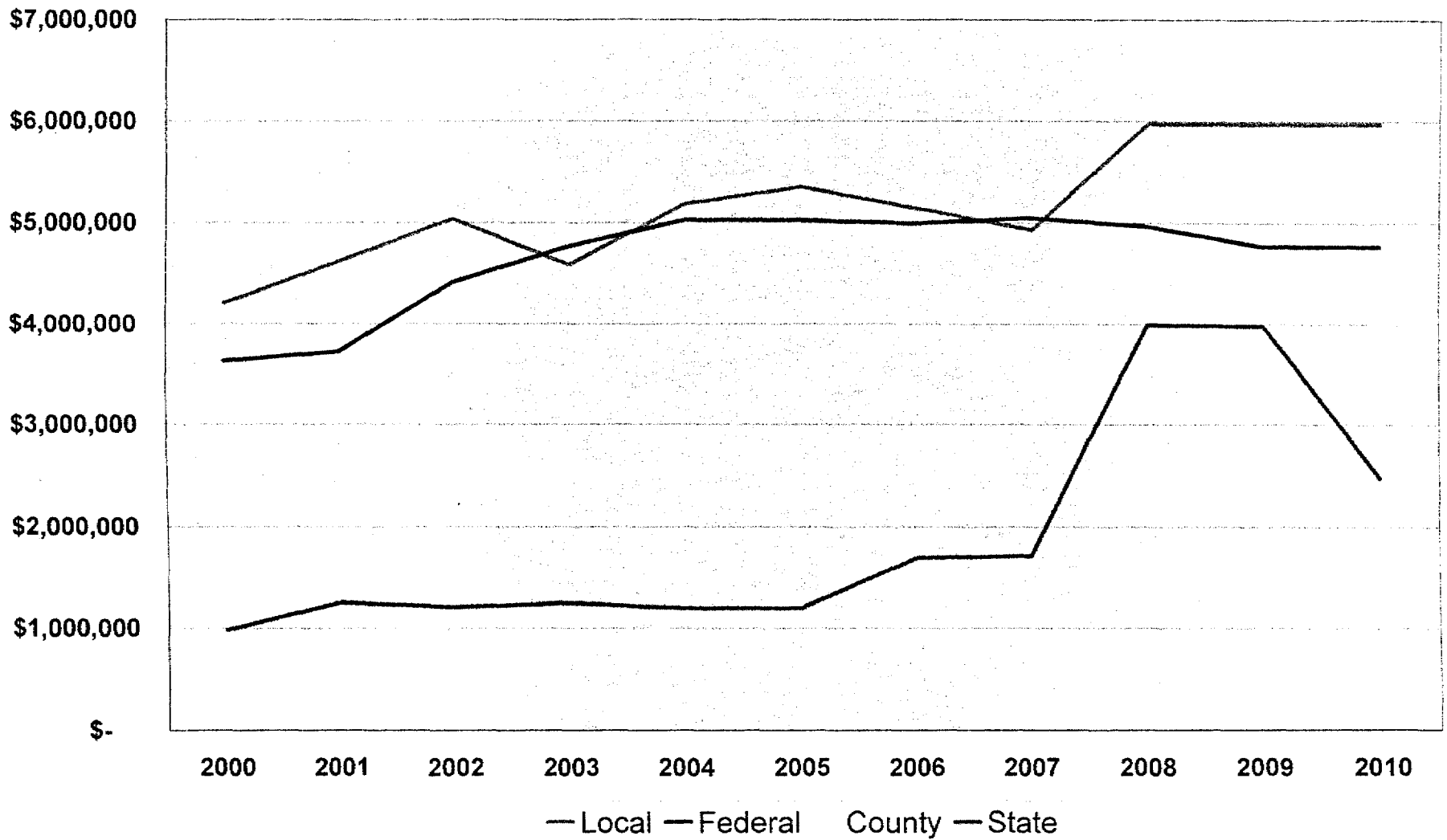
The HB 2 compromise did the following with respect to nursing homes:

1. Provider rate increase. About .2% per year, or about 25¢ per patient day the first year and an additional 25¢ per patient day the second year. Added about \$328,000 in state funds over the biennium.
2. Case load. Cut about \$1M state funds over the biennium. We believe this is the only provider whose caseload has been cut below the Department's estimates.
3. Wage increase. About 21¢ per hour the first year of the biennium and an additional 21¢ per hour the second year. Funding appears to be insufficient to cover all of the lower paid workers such as dietary, housekeeping, laundry, etc.
4. One Time Only. Removed about \$10M in state funds and \$20 M in federal matching funds from the Senior and Long Term Care Division's base budget and added it back in as OTO. Directed DPHHS to start planning immediately to identify ways to cut this amount of money from the budget when it prepares the 2013 biennium budget. The cuts outlined include cutting Medicaid services and eligibility. We can only assume that nursing homes will share a significant portion of that cut.

	Area	XI	X	IX	VIII	VI	V	IV	III	II	I
State Funding Request per year	5,000,000	596,153	99,420	371,710	443,923	432,970	429,350	628,563	351,737	1,060,783	585,390
Use of Funds per year	EXHIBIT 15										
	DATE 3/12/09										
Administrative Increase	HB 645	144,788	-	15,000	3,710	-	40,000	-	-	71,078	15,000
COMMUNITY SERVICES:											
Senior Centers	533,887	30,000	6,250	-	87,575	20,000	8,000	25,000	50,000	255,254	51,808
Adult Day Care	29,466	-	-	-	-	-	18,446	-	-	-	11,020
Congregate Meals	696,348	98,000	6,250	78,000	2,094	25,000	56,000	132,500	33,000	188,528	76,976
Health Promotion	48,555	-	6,250	-	28,250	-	10,064	-	-	-	3,991
Legal Assistance	14,466	10,000	-	-	-	-	4,000	-	-	-	466
Ombudsman	287,464	37,910	-	-	45,200	25,000	4,000	4,000	-	118,406	52,948
Caregiver Support	144,378	-	-	-	-	40,000	88,000	-	-	15,610	768
Volunteers	144,125	15,000	6,250	-	42,375	-	30,000	10,000	-	35,000	5,500
Other	-	-	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-
TOTAL	1,898,689	190,910	25,000	78,000	205,494	110,000	218,510	171,500	83,000	612,798	203,477
ACCESS SERVICES:											
Transportation	560,451	-	10,000	250,000	-	6,470	8,040	80,000	100,000	44,668	61,273
Assisted Transportation	117,791	75,960	10,000	-	8,475	20,000	1,200	-	-	-	2,156
Information & Assistance	509,453	78,955	-	-	19,775	138,000	4,000	45,000	70,000	97,409	56,314
Insurance Counseling (SHIP)	60,605	18,955	20,000	-	5,650	-	16,000	-	-	-	-
Case Management	167,000	65,000	-	-	-	-	12,000	-	35,000	55,000	-
Outreach	73,352	-	-	-	-	23,000	2,400	30,000	-	-	17,952
Other	20,000	-	-	-	-	-	-	20,000	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-
TOTAL	1,508,652	238,870	40,000	250,000	33,900	187,470	43,640	175,000	205,000	197,077	137,695
IN-HOME SERVICES:											
Home Delivered Meals	679,737	125,000	9,710	20,000	148,030	35,000	49,200	132,063	13,737	91,000	55,997
Homemaker	237,707	-	-	-	-	20,000	14,000	45,000	-	61,610	97,097
Skilled Nursing	110,849	-	-	-	28,250	-	4,000	45,000	-	13,610	19,989
Personal Care - Respite	263,599	20,146	-	-	14,125	33,000	60,000	45,000	50,000	13,610	27,718
Home Chore	86,335	-	9,710	-	14,125	7,500	40,000	15,000	-	-	-
Other	41,227	21,227	-	20,000	-	-	-	-	-	-	-
Other	28,417	-	-	-	-	-	-	-	-	-	28,417
TOTAL	1,447,871	166,373	19,420	40,000	204,530	95,500	167,200	282,063	63,737	179,830	229,218
GRAND TOTAL ALL SERVICES											
	5,000,000	596,153	99,420	371,710	443,924	432,970	429,350	628,563	351,737	1,060,783	585,390

MT Area Agency on Aging Funding History
FY 2000 - FY 2010

EXHIBIT 15
DATE 3/12/09
REL 645



BRAIN INJURY ASSOCIATION OF MONTANA

PREVENTION · EDUCATION · ADVOCACY
1280 SOUTH 3RD STREET WEST · SUITE 4 · MISSOULA, MONTANA 59801
(406) 541-6442 · (406) 541-6443 · (800) 241-6442 · Fax (406) 541-4360
www.biamt.org · biam@biamt.org

EXHIBIT 16
DATE 3/12/09
HB 645

March 12, 2009

Rep. Theresa Henry, Chair, Joint Appropriations Subcommittee for Health and Human Service

RE: HB 645, Implementing the ARRA of 2009

Dear Madame Chair and Committee Members,

We respectfully request that the Subcommittee recommend an appropriation of \$100,000 per year for the Resource Facilitation Service in HB 645.

The RFS is a three year old service that provided information, referrals and self-advocacy assistance to over 500 individuals and families living with brain injury last year. RFS helps families affected with brain injury to stay together, keeps children in school, and helps survivors maintain or return to employment.

RFS funding supports 1.5 FTE and the community office infrastructure in Missoula necessary to provide the service. The BIAMT augments these resources through fundraising, other grants, hiring practicum students and interns, and coordinating volunteers.

We work with brain injury support groups around the state to spread the message of brain injury prevention and brain injury recovery. The interns and practicum students we train take their new expertise about brain injury into the community and share it with their coworkers in other settings.

We are working with the Rural Institute to educate first responders about RFS, expand our data-collecting capacity and insure that more Montanans know about the services and supports that make recovery possible.

Thank you for your support for this lifeline for brain injury survivors and families.

THE BRAIN INJURY ASSOCIATION OF MONTANA BOARD OF DIRECTORS

Brenda Toner, Community Bridges, Missoula (co-Chair)

Anita Roessmann, Disability Rights Montana (co-Chair)

Tim Laskowski, Community Medical Center, Missoula

Kathy Hansen, Kalispell Regional Medical Center

Carla Hilferty, family member, Florence

Darcy Merchant, Billings Area Indian Health Services

Bobbi Perkins, EMT, Helena

Kathy Smith, RN Easter Seals, Great Falls

Sanya Ness, Administrator, Liberty Place, Whitehall

Mark Sanders, student, MSU College of Technology, Great Falls

Randy Wood, University of Montana School of Social Work

A BRAIN INJURY ASSOCIATION AFFILIATE

175

Robert Snizek, MS CRC
Headway Outpatient Brain Injury Program
2900 12th Ave N. Suite 10w
Billings, MT 59101
(406) 238-6440
Fax: (406) 238-6464
robert.snizek@svh-mt.org

March 12, 2009
House Appropriations Committee

Dear Committee Members,

My name is Robert Snizek; I work as the medical case manager of the Headway program at St. Vincent Healthcare in Billings, Montana. We are the only coordinated outpatient brain injury recovery program in the eastern part of the state, and every year we work with dozens of patients who have recently been injured.

St. Vincent Healthcare in Billings has given more referrals to the Resource Facilitation Service than any other healthcare provider in Montana because we know it works. In Billings the Resource Facilitation Service has in large measure closed the "crack" that many brain-injured Montanans fell into before the RFS existed. Sadly what used to happen to many patients after a concussion or a "mild brain injury" was they were sent home with a stack of papers and asked to call back if there were problems. For many folks things did get worse and those without family support (or medical training) would end up eventually losing their jobs, getting divorced and knocking on our program's door two years after the injury asking for help -- finally. I am not exaggerating, this type of story was common prior to this program being implemented in Billings and although we can help *a little bit two years after the fact* -- the chance to have a bigger impact is missed. RFS provides a life-line so the injured can get the help they need to become productive again.

With the Resource Facilitation Service, the injured can get support and information from a neutral source. It has been my experience that this service saves money when the person with a brain injury can identify the problem early in the process when the brain is still healing. Early intervention increases the chance we can help that patient heal, and get back to work -- not to mention the marriages that can be saved when problems are identified for what they are. Last year 12 Headway patients with brain injuries (who were not working when we started outpatient treatment) were able to return to their old jobs after an average of two months of therapy. Their wages equal about \$300,000, so for me RFS is not just a "feel good program," it is an investment in the medical community, the workers of Montana and their employers.

I wish I could be in Helena to testify directly, but wanted to share why I see value in this program as a professional, and pray it is seen as the investment it is. You may call me at work if there are any questions, (406) 238-6440.

Sincerely,
Robert Snizek, MS CRC

EXHIBIT 17
DATE 3/12/09
HB 645

Montana Legislature Health and Human Services Committee

Representative Teresa Henry, Chair
Senator Dave Lewis, Vice-Chair
Senator John Esp
Representative Penny Morgan
Representative Carolyn Pease-Lopez
Representative Don Roberts
Senator Trudi Schmidt
Senator Dave Wanzenreid

Request for Funding

SUBMITTED FOR

Hi-Line Retirement Center
Renovation and Expansion Project

March 12, 2009

Project Contact

Ward VanWichen
Hi-Line Retirement Center
P.O. Box 770
Malta, Montana 59538-0770
Phone: (406) 654-1190 ext. 5116
Fax: (406) 654-2876
Email: wardvw_pchospital@yahoo.com

Brief Description of Project (250 characters)

The project will construct an assisted living unit, kitchen facilities, expand the dining and activities area, and install new HVAC and Nurse Call systems. The estimated cost of this project, which will serve 72 long-term care, assisted living, and independent living residents, is \$5,073,076.

Purpose of Project

The purpose of this project is to address deficiencies identified by Mike Glassing, of JGA Architects, identified deficiencies in the HLRC's heating, ventilation, and air conditioning (HVAC) systems and the Nurse Call System (NCS).

According to Glassing, the HVAC system does not comply with current International Building Code (IBC) standards or American Institute of Architects (AIA) guidelines for healthcare design. The topic of indoor air quality has become more prevalent due to greater awareness of health problems caused by mold and triggers to asthma and allergies. According to the National Safety Council, Americans spend about 90% of their time indoors. Thus, poor indoor air quality can have a significant impact on people's lives, especially those who are most vulnerable.

Temperature Control

The effects of poor temperature control can lead to added physical stress for the residents. Maintaining appropriate temperatures during the hot summer months is essential for resident comfort, health, and well-being.

Accommodating the different temperature comfort needs for elderly residents is fundamental to maintaining their quality of life. Loss of appetite, less desire for activities, and added physical stress can be a result of this lack of environmental control.

Nurse Call System (NCS)

The NCS represents a safety and health risk to the residents of the HLRC because it limits the ability of staff to respond appropriately to a particular patient. In the HLRC, there are two residents in each room of the nursing home. The current NCS does not comply with National Fire Protection Association (NFPA) guidelines because it does not identify the patient who is making a call for assistance. It only identifies the room from which a call originates. This project will allow HLRC to install a system that would allow HLRC staff to recognize immediately which patient is calling for help and respond appropriately. If, for example, the patient is diabetic or a fall risk, they could anticipate what they may encounter and how best to respond to the situation.

Kitchen Upgrades

A recent kitchen assessment by the facilities contract Dietician from Frances Mahon Hospital in Glasgow, affirmed what had already been stated in the PAR report.

The Dietician noted that:

The space in the kitchen is very limited. Dry storage, refrigerator, and freezer space all need to be expanded to properly and safely store foods. Storage space for equipment, utensils, cutlery,

and cookware is also insufficient. Cabinets and drawers that are available for storage are inadequate and are frequently in need of repair. Work Space is limited with minimal area for food prep. Too much equipment for too small a space has compromised the workflow of the kitchen. Ideally, this kitchen needs to be expanded, or at least redesigned and remodeled for improved storage and better use of the available space.

As noted in the PAR, remodeling and expanding the present kitchen would be very difficult, if not an improbable proposition, while maintaining current food service functions. The solution of the new kitchen addition, as proposed, would not only be nearly as cost effective as remodeling, it would also allow for uninterrupted dietary services and provide for needed additional dining and activities space.

The project is a valuable use of taxpayer funds because it will enable a critical community facility to comply with current codes while maintaining its ability to affordably serve its residents and their families.

Full Description of the Project

The project's scope of work includes the following activities:

Construct a new energy efficient, multi-zone HVAC system that brings the HLRC into compliance with current codes and standards while reducing energy consumption.

Provide area zone temperature control that improves individual room and zone control throughout the facility.

Install an addressable nurse call system that complies with current codes and standards for nursing home facilities.

Allow HLRC to vacate current kitchen space and remodel it for expanded dining and activities that will provide enhanced resident care and improved quality of life.

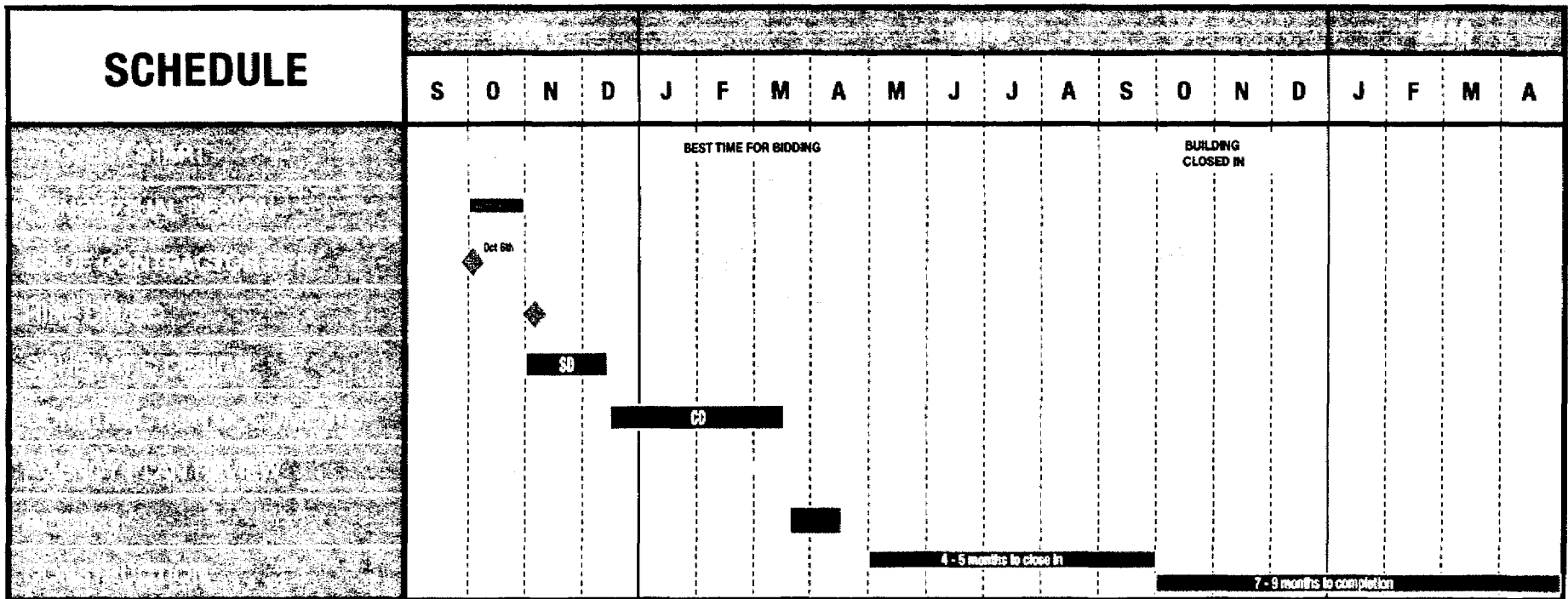
Construct a larger kitchen with updated equipment and more space for food service and storage. Thereby, allowing HLRC staff to improve dietary services while creating a more efficient workspace.

The scope of work also includes the construction of a new 12-bed assisted living unit and the renovation and expansion of long-term care and independent living apartments. The project would increase the number of long-term care beds from 48 to 56, expand available assisted living units from eight to 12 and increase the number of HLRC's independent, senior apartments from six to 10. This project would allow HLRC to address a community need by adding additional space and it would increase annual revenue by \$356,997, based on current rates.

Project Budget

Administrative and legal	\$	32,750.00
Architectural & Engineering	\$	399,600.00
Project Inspection	\$	110,000.00
Site Work	\$	296,000.00
Demolition and Removal	\$	71,000.00
Construction	\$	2,336,000.00
Equipment*	\$	924,000.00
Miscellaneous	\$	178,326.00
Subtotal	\$	4,347,676.00
Contingencies	\$	725,400.00
TOTAL PROJECT COSTS	\$	5,073,076.00
Program Income	\$	-
TOTAL PROJECT COSTS	\$	5,073,076.00
Montana Department of Commerce (CDBG)**	\$	450,000.00
USDA Rural Development	\$	4,068,326.00
Appropriation Request*	\$	500,000.00
Hi Line Retirement Center (Local Funds)***	\$	54,750.00
Total Funding	\$	5,073,076.00

5





AN ASSOCIATION OF
MONTANA HEALTH
CARE PROVIDERS

**Testimony to the Appropriations Joint Human Services Subcommittee
Pertaining to HB 645
Bob Olsen, MHA Vice President**

MHA, An Association of Montana Health Care Providers represents the interests of our member health care organizations, including hospitals, physicians, nursing facilities, home health agencies and hospice organizations. MHA member organizations urge your consideration of fully funding the Montana Medicaid program, and using federal stimulus dollars in the human services budget.

MHA established several priorities for the human services budget.

- MHA seeks adequate funds to protect the base funding for human services. We believe that stimulus funds help keep human service program funding stable for this biennium.
- MHA may develop a request for one time stimulus funding for capital projects.
- Annual rate increases that reflect current inflation. Enhanced FMAP can be used to make those increases more affordable, we support a strategy providing one time only rates adjustments. We ask the Committee to support a rate increase higher than the 1% per year approved in IIB 2. The additional funding could be one time rate add-ons that match the duration of the period for enhanced federal match
- Maintain the integrity of the hospital bed tax, and pass HB 71 to remove the sunset.

HB 645 General Comments

MHA appreciates the effort put forward to balance the various competing interests for stimulus funds. There is \$155 million of general fund produced as a result of enhanced federal Medicaid match. But it appears that just \$60 million is retained specifically for Medicaid. MHA is concerned that too much funding is being moved out of human services and into other areas of the state budget. We support making sure human services are funded, and only then shift funds elsewhere.

HB 645, Section 2, Amendment to the Hospital Utilization Fee.

Due to the enhanced federal Medicaid match, hospitals could realize significantly higher supplemental payments in state fiscal years 09, 10 and 11. MHA has agreed in principal that state special revenue raised by the hospital tax could help provide funding for other priorities in the budget, with certain provisions.

Those provisions include an assurance that state special revenues will be retained in the budget to support the supplemental payments in amounts that would have occurred

absent federal stimulus dollars. MHA also expects that IIB 71 will be enacted, and that no other measures will seek to divert additional state special revenues away from the hospital bed tax.

MHA has worked with Department staff to determine the appropriate funding to be retained in the state special revenue account, and the language included in a technical amendment that will be offered to the bill. . HB 2 may require a coordinating amendment to match the state special revenue figures adopted in IIB 645, and the federal matching funds.

Legislators should also know that financial pressures are emerging on hospitals and other medical providers throughout the state. Hospitals are reporting significant reductions in patient treatment volumes for certain services – preventive care and discretionary surgery among them. But emergency room visits are increasing, and uncompensated care costs are growing as patients slow their payments to hospitals and physicians. We expect increased charity and bad debt costs at the same time our reserves and other income drops due to the slow economy.

Finally, we suggest lawmakers consider the language HB 645 be modified to provide an option to retain the unspent SSR in the state special revenue account throughout the biennium, and that the funds only be shifted if caseload requirements emerge for their use. Retaining the state special revenue apart from general fund by avoid the problem of creating a rainy day fund, or a general fund balance increase, and may provide greater flexibility for the federal stimulus funds.

HB 645 Amendments

Provider Rates

MHA would support amendments to HB 645 to provide increased general fund to support higher rate increases for provider rates. A rate increase should be at least equivalent to current medical inflation, and could be one-time-only funding.

FCC Telecommunications Grant

MHA requests that IIB 645 be amended to provide \$500,000 of federal funds for a one-time-only grant to match a \$2 million FCC grant. The grant has already been approved, but requires a match in order to begin work. The grant is intended to create a secure internet superhighway to link hospitals, mental health centers and community health centers. This particular grant qualifies for a federal fund match. A more detailed description of this grant is attached for your information.

Thank you for the opportunity to share our comments with this Committee. I can be contacted at bob@mtha.org, or 457-8004.

The Federal Communications Commission (FCC) through its Rural Healthcare Pilot Program, recently awarded \$1,957,652 to the Frontier Access to Healthcare in Rural Montana (FAhRM), a collaborative partnership of Montana Healthcare Organizations for the development of a statewide telehealth infrastructure. The FAhRM project will be implemented by the Montana Health Research and Education Foundation (MHREF) and The Montana Healthcare Telecommunications Alliance (MHTA). The funding will allow the consortium to develop a statewide infrastructure (or "backbone") to connect all hospitals, mental health centers and community health centers through a secure, dedicated broadband healthcare network. The MHREF will provide operational management of the statewide project and MHTA, comprised of representatives and stakeholders of Montana's existing telehealth networks, will provide the advisory oversight of the statewide project.

The FCC funding is contingent on securing 15% matching funds as well as funding for administrative and personnel costs which are not covered under the FCC award. **A grant of \$500,000 would enable the consortium to meet the required cash match of \$300,000 as well as assist in covering administrative and personnel costs over the three-year project.** We are also seeking private funding to reach an overall project goal of \$2.8 M. Because the source of the FCC award is considered fee-based revenue, other federal and state dollars can be used to meet the match requirements.

The FCC pilot program will provide 85% of the costs associated with the construction of a state or regional broadband network. The FAhRM project will create an information "super highway" that will enable multiple applications such as telemedicine, radiology, electronic health records and other data services. It will also position all healthcare entities for the development of future applications as the Federal initiative to increase the use, availability and exchange of electronic health information expands to all corners of our rural and frontier state. This project is designed to enable small clinics and hospitals in remote areas to generate electronic health records, provide consultations with specialty physicians and improve overall quality of health care services.

Implementation of this new network will enable multiple applications to run over the network simultaneously. It will also position communities such as Ekalaka and Terry in the vast plains of eastern Montana and Philipsburg, Superior and Libby in the western mountains to participate in high definition videoconferencing and provide specialty consults to patients via televideo links with larger urban facilities. The development of future healthcare applications and regional telecommunications networks will also be greatly enhanced. Patients of physician clinics, hospitals and other health care facilities in remote parts of Montana will be the primary beneficiaries of these services.

FAhRM is a three year project which has already started. Currently (in the project's first year), a network design study is being conducted to develop the most cost effective, scalable and reliable network that will support the exchange of telehealth applications for all Montana communities. Years two and three of the project will be dedicated to the implementation of the infrastructure identified through the design study. For the initial phase of the project, the 15% match has already been committed by the Foundations of Benefis Healthcare in Great Falls, Billings Clinic in Billings, Bozeman Deaconess Hospital in Bozeman, Community Medical Center in Missoula, Kalispell Regional Medical Center in Kalispell, St. Patrick Hospital in Missoula and St. Vincent Healthcare in Billings.

Should you require additional information, please feel free to contact Joan Miles, Director of MHREF at phone (406) 457-8015, or email joan@mtha.org or Jack King, President of MHTA at phone (406) 455-4285 or email kingjacw@benefis.org.

EXHIBIT 19
DATE 3/12/09
HB 645

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Chuck Hunter

For the House Appropriations Committee

Prepared by Lois Steinbeck
March 12, 2009 (7:41am)

1. Page B-5, line 1.

Strike: "25,000,000 35,000,000" [general fund FY10 and FY11]

Insert: "24,558748 34,558,748" [general fund FY10 and FY11]

2. Page B-5, following line 1.

Insert: "a. Sustain System of Care and Kids Management
Authorities (Restricted/Biennial)

441,252 441,252" [general fund FY10 and FY11]

3. Page B-5, following line 13.

Insert: "Sustain System of Care and Kids Management Authorities
must be used to sustain the kids management authorities
created under the cooperative agreement between the state of
Montana and the federal government for the federal substance
abuse and mental health services administration system of
care grant, identified in the catalogue of federal domestic
assistance as grant No. 93.104."

- END -

Explanation - This amendment appropriates \$882,504 general fund
over the biennium to sustain and Kids' Management Authorities.

EXHIBIT 19
DATE 3/12/09
HB 645

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Chuck Hunter

For the House Appropriations Committee

Prepared by Lois Steinbeck
March 12, 2009 (7:41am)

1. Page B-5, line 1.

Strike: "25,000,000 35,000,000" [general fund FY10 and FY11]

Insert: "24,350,000 34,350,000" [general fund FY10 and FY11]

2. Page B-5, following line 1.

Insert: "a. Community Health Centers (Restricted/Biennial)
650,000 650,000" [general fund FY10 and FY11]

3. Page B-5, following line 13.

Insert: "Community Health Centers is contingent upon passage and
approval of House Bill No. 280 and must be used to implement
House Bill No. 280 in the 2011 biennium."

- END -

Explanation - This amendment adds for grants to community or tribal boards to: a) create and support new nonfederally funded community health centers with state funding for a maximum of 6 years or until federal funds are granted; b) to expand the medical, mental health, or dental services offered by existing federally qualified community health centers or other facilities that have received federally qualified health center look-alike status; and (c) to provide one-time grants for capital expenditures to existing federally qualified community health centers and facilities with federally qualified health center look-alike status.

The funding is contingent on passage and approval of HB 280 and the funds must be used to implement HB 280.

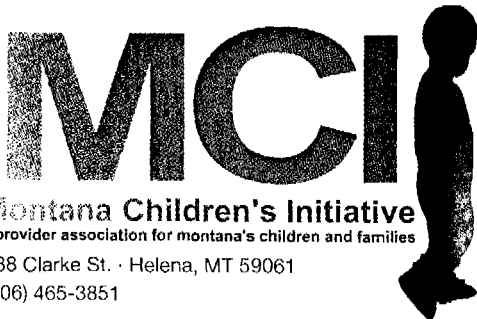


EXHIBIT 20
DATE 3/12/09
HB 645

Montana Children's Initiative
Funding Priorities for
HB 645 (American Recovery and Reinvestment Act)

The priorities for the Montana Children's Initiative are simply.

1. Provider Rate Infrastructure enhancement – A 2% increase in provider rates for infrastructure enhancements would increase efficiencies and provide long term benefits that will help providers reduce costs. Projects would include: Facility Improvements to reduce energy consumption, vehicle upgrades , technology improvements, and staff development.

Cost \$3,000,000
2. Foster Care Rates – Implement the Minimum Adequate Rates for Care as described in HB 353

Cost \$2,400,000
3. Rate Commission Study - This Study would restructure the manner in which the state establishes rates to consider outcomes and results.

Cost \$1,000,000
4. Systems of Care - Funding to complete the SAMSHA grant and allow the study provided for in HB243 by Rep. Hunter to determine future needs for supporting an effective system of care.

Cost \$1,500,000

Steve Nelsen
Exec Dir. Montana Children's Initiative
442-4556



Montana's premier
provider of
medical genetic services
and psychiatric care
for children and
adolescents.

EXHIBIT 21
DATE 3/12/09
HB 695

Senators and Representatives:

As you are aware, the 60th legislature passed SB 162 which revised the "MONTANA GENETICS PROGRAM TO EXPAND THE GENETIC AND METABOLIC CONDITIONS FOR WHICH NEWBORNS ARE SCREENED AND TO ALLOW THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO CONTRACT FOR FOLLOWUP SERVICES". Shodair Hospital responded to an RFP and was awarded a contract to provide the followup services to the Newborn Screening Program.

Presently the actual Laboratory testing for most of this program is completed in the State of Wisconsin with 4 tests being done in the Montana State Laboratory. Shodair Hospital has been contemplating offering this testing here at Shodair for about four years. We have done extensive research and have visited several labs throughout the United States with newborn screening capabilities. The start-up costs of the project have been the only deterrent to our proceeding with such a testing program, namely the cost of two tandem mass spectrometers. One would be used for the testing and one for backup. The cost of these two pieces of equipment is right at 1.3 million dollars.

Use of Stimulus Money:

Shodair Hospital proposes that 1.67 million dollars be used to bring the Newborn Screening back to Montana. The most logical place to house this type of testing in Montana is at Shodair Hospital where we have the Montana Genetics, an existing specialty laboratory with the expertise to manage such a program, medical expertise, and finally the followup program for newborn screening. About 1.0 to 1.3 million dollars would be used for equipment, 150,000 for building modifications and the remainder for startup costs until the program becomes self sustaining.

Equipment - 2 tandem mass spectrometers	\$650,000 each
Building Modifications	\$150,000
Startup Reagent and Salaries	\$220,000

This proposal has all the elements that one would want in a project for the "Stimulus Money"

- A. Improved patient care.
- B. Creating approximately 10 -14 well paying jobs in Montana.
- C. The program would be self supporting in 90 to 120 days.



Shodair
CHILDREN'S HOSPITAL

*Montana's premier
provider of
medical genetic services
and psychiatric care
for children and
adolescents.*

- D. Return Montana taxpayers money to Montana.
- E. This program and equipment would enhance a long time asset of Montana, "The Montana Medical Genetic Program".

Additionally this type of equipment can be used to analyze substances of unknown origin and quickly determine if those who come into contact with the substance are at risk. There are many law enforcement and homeland security applications that this equipment can be used for in conjunction with the expanded medical testing applications.

Scientific Explanation:

A tandem mass spectrometer (MS/MS) is essentially two spectrometers analyzing samples in series. The first spectrometer separates molecules in a sample by size. These separated particles are then subjected to an atomic collision in the second machine, further fractionating the sample. These resulting particles are sized based on mass/charge ratio. Fragment patterns are characteristic for specific compounds, with an occasional overlap in molecular compounds with the same mass/charge ratio not otherwise separable by MS/MS.

In the case of newborn screening, MS/MS is measuring amino acids, organic acids, and acylcarnitines in a newborn blood sample. These analyses allow for detection of some 41 disorders of amino, organic, and fatty acid metabolism otherwise not detected by conventional screening methods. An expert panel recommended primary screening for 19 of these disorders, but with the potential to report on all 41. A "core" panel of these 19 disorders detected by MS/MS, along with 10 other disorders previously screened for by different methods, is now recommended for all U.S. newborns. Almost all 50 states and US Territories have implemented such screening.

As you can see this is state of the art science that will benefit the children of Montana for years to come.

If this is something that you think you as legislators would like to see happen, together we can make it happen. Please contact me at Shodair 444-7505.

Thanks

as a part of the combined, comprehensive
statewide genetics program established under
section 50-19-211.

50-19-203. Newborn screening and followup for metabolic and genetic disorders.

(1) A person in charge of a facility in which a child is born or a facility in which a newborn is provided care or a person responsible for the registration of the birth of a newborn shall ensure that each newborn is administered tests designed to detect inborn metabolic and genetic disorders as required under rules adopted by the department.

(2) The tests must be done by an approved laboratory. An approved laboratory must be the laboratory of the department or a laboratory approved by the department.

(3) The department shall contract with one or more providers qualified to provide followup services, including counseling and education, for children and parents of children identified with metabolic or genetic disorders to ensure the availability of followup services.

History: En. Sec. 2, Ch. 227, L. 1973; R.C.M. 1947, 69-6711; amd. Sec. 1, Ch. 401, L. 2007.

Compiler's Comments

2007 Amendment: Chapter 401 in (1) in three places substituted "newborn" for "infant" or "newborn infant" and near end after "metabolic" substituted "and genetic disorders" for "errors"; inserted (3) requiring the department to contract with one or more qualified providers to provide followup services for children and parents of children identified with metabolic or genetic disorders; and made minor changes in style. Amendment effective October 1, 2007.

Cross-References

Newborn hearing screening, Title 53, ch. 19, part 4.



Local Public Health Economic Recovery and Reinvestment Priorities/Suggestions

The Association of Montana Public Health Officials and the Montana Public Health Association strongly encourage your consideration for directing federal economic stimulus funds to the programs and services outlined below. Ensuring that dollars are available at the local public health jurisdictional level fosters direct care and services to "assist those most impacted by the recession" as stated in the American Recovery and Reinvestment Act.

Request: \$10,159,755 (\$5,079,877.50 in FY 10 and FY 11) over the biennium to be appropriated as follows:

- **\$3,249,878** to implement HB 309 – Foster care public health nursing services pilot program: these funds will be distributed to four counties (Cascade, Roosevelt, Yellowstone, and Missoula) based on ability to implement pilot program services, location in four regions of the state, and percent of foster children.
- **\$89,877** to implement SB 350 – Routine HIV Testing: these funds will support HIV diagnostic testing as a routine part of medical care as recommended by the Centers for Disease Control and Prevention. Specifically, funding will cover those individuals on Medicare and CHIP.
- **\$1,000,000** to expand and implement HB 173 – Local public health sustainability: these funds allow 15 counties to compete for a total of \$60,000 (each) over the biennium to prepare for public health accreditation. Additionally, a total of \$100,000 is allocated to the Department of Public Health and Human Services to support the work of local public health and to add legislative oversight and involvement in making recommendations for improving the local public health system throughout the state.
- **\$5,820,000** to be distributed based on a per capita basis to each of the Montana local public health jurisdictions to provide services for people most affected by the economic downturn. Specifically, funding would enable local public health to deliver:
 - Access to primary preventative healthcare, immunizations, and well child screenings;
 - Outreach, assistance and referral for nutrition, housing and other social services;
 - Home visits, assessments, and case management to reduce health risks;
 - Enrollment assistance for Medicaid, CHIP, and health programs; and
 - Add or enhance school and daycare public health nursing capacity for vision, hearing, and developmental screenings.

AMPHO and MPHA look forward to our continued discussions and thank you for your leadership in moving local public health forward.

**Montana House of Representatives
Visitors Register
APPROPRIATIONS SUBCOMMITTEE ON
HEALTH AND HUMAN SERVICES**

Date 3/12/09

Bill No. HB 645

Sponsor(s) SESSO

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Mona Jamison	SHODAIR	✓		
Spa Drickens	HD 25	?	?	
Bodie M	Mistral M	✓		
Larry Minow	ME A, MET	✓		
Cassidy Clifford	HARP MT	✓		
Tara Veazey	MTBPC			X
Charles Agencies	Area Agency on Aging	✓		
Frank Hudson	DPHHS			✓
Craig Erickson	HiLine Retirement Center	X		
Harvey H	MT 2	X		
LINDA SPILL	AGENCIES on Aging			
Steve Yeckel	MT Advocates for Children	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register
APPROPRIATIONS SUBCOMMITTEE ON
HEALTH AND HUMAN SERVICES**

Date 5/12/09

Bill No. HB 645

Sponsor(s) SESSO

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Bob Buzzas	MT HRLC Assoc	✓		
Bob Hughes	MT HRLC	Amend		
Bob Olsen	MT Hosp Assoc	Amend		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register
APPROPRIATIONS SUBCOMMITTEE ON
HEALTH AND HUMAN SERVICES**

Date 3/12/09

Bill No. HB 645

Sponsor(s) SESSO

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Charlie Briggs	Easter Seals - Grinnell	X		
Jill Davis	DOCKHART SERVICES	X		
JAN CAHILL	MACOS	X		
Dorothy Eck	Montana League of Women Voters	X		
Roxanne Klingensmith	Bozeman ^{League of} Women Voters	X		
Shelly Heilweil	BZN LAC	X		
Coury Erickson	Home Retirement / Big Sandy Activities			
Lorrie Merrill	Big Sandy Activities			
BATY KENT	WMT Mental Health			
Christy Hill Larson	MT Advocates for Children			
ANITA ROESSMANN	DISABILITY RIGHTS MT	✓		
Therese Champagne	Center for Mental Health	X		
Janet Vestu	Center for MH	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND TRANSPORTATION and JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: Chairman Galen Hollenbaugh, on March 12, 2009 at
8:05 A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Rep. Galen Hollenbaugh, Chairman (D)
Rep. Dave Kasten, Chairman (R)
Sen. Rick Ripley (R)
Rep. Duane Ankney (R)
Rep. Llew Jones (R)
Rep. Robert Mehlhoff (D)
Sen. Greg Barkus (R)
Sen. Mike Cooney (D)
Rep. Dennis Getz (D)
Rep. John Sesso (D)
Rep. Brady Wiseman (D)

Members Excused: None

Members Absent: Sen. John Brueggeman (R)
Rep. Walter McNutt (R)
Sen. Carol Williams (D)
Sen. John Brenden (R)
Sen. Mitch Tropila (D)

Staff Present: Catherine Duncan, Legislative Branch
Shawn Graham, OBPP
Tyrrell Hibbard, Committee Secretary
Barbara Smith, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 645, 3/10/2009

Executive Action: None

090312JNH.Hm1

145

00:00:10 Chairman Hollenbaugh
00:01:11 Chairman Kasten

HEARING ON HB 645

Opening Statement by Sponsor:

00:02:00 Rep. Jon Sesso (D), HD 76, opened the hearing on HB
645, Implement receipt of and appropriate federal
stimulus funds.

00:09:02 Sen. Tropila arrived.
00:09:19 Sen. Brueggeman arrived.
00:10:48 Sen. Williams arrived.
00:15:57 Chairman Hollenbaugh
00:16:34 Amy Carlson, Office of Budget and Program Planning
(OBPP)

EXHIBIT(jnh55a01)

EXHIBIT(jnh55a02)

EXHIBIT(jnh55a03)

EXHIBIT(jnh55a04)

EXHIBIT(jnh55a05)

EXHIBIT(jnh55a06)

EXHIBIT(jnh55a07)

00:26:27 Chairman Hollenbaugh
00:26:39 Sen. Brenden arrived.

Public Comment:

00:26:56 Rep. Ted Washburn, HD 69, Bozeman

EXHIBIT(jnh55a08)

00:28:41 Dave Crawford, Town Engineer, Manhattan

EXHIBIT(jnh55a09)

00:31:54 Chairman Kasten
00:32:13 Mr. Crawford
00:32:19 Chairman Kasten
00:32:43 Chairman Hollenbaugh
00:32:47 Tom Erskine, Interstate Engineering, Billings,
representing Town of Brockton which needs \$1.75 million
to finish the sewer system.

EXHIBIT(jnh55a10)

00:34:46 Chairman Kasten
00:35:11 Harold Blattie, Executive Director, Montana Association
of Counties

EXHIBIT(jnh55a11)

00:41:39 Chairman Kasten

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION
March 12, 2009
PAGE 3 of 8

00:41:55 Rep. Tom Berry, HD 45, Roundup, requesting stimulus money to replace part of the 400,000 loan on the Deadman's Basin reservoir dam.

EXHIBIT(jnh55a12)

00:44:28 Chairman Hollenbaugh

00:44:38 Ron Hanson, County Planner, Powell County, addressed four shovel-ready projects: Deer lodge Main Street bridge at a cost of \$4 million, requesting \$700,000 to \$900,000 of stimulus funds; \$3 million in needs for road improvement plans, requesting \$400,000 of stimulus funds; new windows in Deer Lodge courthouse at \$200,000; cleanup of Milwaukee Roundhouse site in Deer Lodge.

EXHIBIT(jnh55a13)

00:49:41 Chairman Hollenbaugh

00:49:51 Susan Davis Briggs, Vice Chancellor of Administration, Finance, and Student Affairs, University of Montana Western

00:54:41 Rep. Timothy Furey, HD 91, Milltown, encouraged the committee's support for HB 467, a \$70 million bond for the university system; HB 14, Montana Legacy Project at an approximate cost of \$2 million; and HB 569, a \$3 to \$5 million housing bill.

00:56:40 Chairman Hollenbaugh

00:56:57 Hugh Jesse, Director of Facility Services, University of Montana, in support of the energy conservation allocations in HB 645

EXHIBIT(jnh55a14)

00:58:08 Chairman Kasten

00:58:22 Chris Laity, advocated for Powell County Main Street bridge project and the \$1.4 million City of Cut Bank railroad street road project.

EXHIBIT(jnh55a15)

00:59:45 Chairman Kasten

00:59:48 Mr. Laity

01:00:01 Chairman Kasten

01:00:04 Chairman Hollenbaugh`

01:00:10 Rep. Tony Belcourt, HD 32, Box Elder, Rocky Boy North Central Regional Water Project

EXHIBIT(jnh55a16)

Questions from Committee Members and Responses:

01:02:51 Chairman Kasten

01:03:19 Anna Miller, Department of Natural Resources and Conservation (DNRC)

01:03:32 Chairman Kasten

01:03:43 Rep. Belcourt

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION
March 12, 2009
PAGE 4 of 8

01:04:09 Chairman Kasten
01:04:21 Rep. Sesso
01:04:43 Chairman Kasten
01:04:46 Rep. Belcourt
01:05:03 Rep. Sesso
01:05:26 Ms. Miller
01:05:51 Rep. Sesso
01:05:56 Ms. Miller
01:05:59 Rep. Sesso
01:06:02 Ms. Miller
01:06:12 Rep. Sesso
01:06:17 Ms. Miller
01:06:21 Rep. Sesso
01:06:40 Chairman Hollenbaugh

Public Comment:

01:07:14 Mike Murphy, Montana Water Resources Association
01:08:13 Chairman Hollenbaugh
01:08:17 Steve Wade, North Central Regional Water, Dry Prairie,
and Montana Rural Water Systems
01:09:11 Linda McCulloch, Secretary of State

EXHIBIT(jnh55a17)

01:13:20 Chairman Hollenbaugh
01:13:31 Jeff Brandt, Information Technology Services Division,
Department of Administration
01:14:02 Larry Mires, Glasgow Irrigation District; Executive
Director, St. Mary's Rehabilitation Working Group

EXHIBIT(jnh55a18)

01:15:41 Jeff Tiberi, Executive Director, Montana Association of
Conservation Districts, voiced support for
appropriations in HB 6 and HB 7.

EXHIBIT(jnh55a19)

01:17:12 Tara Veazey, Executive Director, Montana Budget and
Policy Center

EXHIBIT(jnh55a20)

01:21:59 Chairman Kasten
01:22:46 Andy Mefford, Town of Stevensville, advocated for the
water system improvement project in Stevensville.
01:26:16 Chairman Hollenbaugh
01:26:22 Mr. Mefford
01:27:08 Chairman Hollenbaugh
01:27:14 Darryl Barton, City of Deer Lodge waste water project

EXHIBIT(jnh55a21)

01:29:15 Chairman Hollenbaugh

01:29:31 Recess

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION
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01:44:07 Reconvene. Sen. Brueggeman, Rep. Getz, Sen. Williams,
and Rep. Jones are absent.

01:44:16 Sen. Debby Barrett, SD 36, Dillon, Ruby Reservoir
Rehabilitation project still needs \$8 million

01:45:29 Rep. Jeff Welborn, HD 72, Dillon, Ruby Dam Project

01:46:15 Chairman Hollenbaugh

01:46:20 Rep. Sesso

01:46:57 Ms. Duncan, Legislative Fiscal Division (LFD)

01:47:28 Rep. Sesso

01:47:32 John Tubbs, Administrator, Water Resources Division,
DNRC

01:48:35 Rep. Sesso

01:48:57 Mr. Tubbs

01:49:31 Mark Aagenes, Montana Trout Unlimited, Ruby Dam Project

01:50:49 Cary Hegreberg, Montana Shovel-Ready Contractor's
Association

01:52:56 Ronda Wiggers, Great Falls Chamber of Commerce

EXHIBIT(jnh55a22)

01:56:56 Joe Schaffer, Acting Dean and CEO of Montana State
University (MSU)-Great Falls

02:01:42 Chrissy Glover, Child Development Center, Student, MSU-
Great Falls

02:03:35 Sen. Brueggeman arrived.

02:04:30 Rep. Robert Mehlhoff, HD 26, Great Falls

02:07:54 Rep. Sesso

02:08:04 Joe Triem, Architecture and Engineering Division,
Department of Administration

02:08:42 Rep. Sesso

02:08:46 Tom O'Connell, Administrator, Architecture and
Engineering Division

02:09:40 Rep. Sesso

02:09:47 Mr. O'Connell

02:09:51 Rep. Sesso

02:10:17 Mr. O'Connell

02:10:36 Chairman Hollenbaugh

02:10:41 Robin Shropshire, City Commissioner, City of Helena,
shovel-ready projects for the City of Helena

02:13:16 Chairman Hollenbaugh

02:13:19 Rep. Sesso

02:13:37 Ms. Shropshire

02:13:41 Rep. Sesso

02:13:44 Ms. Shropshire

02:14:06 Rep. Sesso

02:14:23 Ms. Shropshire

02:15:00 Tim Burton, City Manager, City of Helena

02:16:04 Sen. Ripley

02:16:40 Fran M. Albrecht, Watson Children's Shelter, Missoula

02:19:55 Chairman Hollenbaugh

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION
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02:20:05 Rep. Ankney left the hearing.
02:20:06 Jim Lynch, Director, Montana Department of
Transportation

EXHIBIT(jnh55a23)

02:26:24 Sen. Williams returned.
02:38:29 Chairman Kasten
02:38:57 Mr. Lynch
02:40:30 Chairman Kasten
02:40:44 Mr. Lynch
02:41:02 Chairman Kasten
02:41:05 Rep. Sesso
02:41:19 Chairman Hollenbaugh
02:41:25 Sen. Jonathan Windy Boy, SD 16, Box Elder, Rocky Boy-
Parker Water System Storage and Brockton Sewer Lagoon
projects

EXHIBIT(jnh55a24)

02:44:40 Chairman Hollenbaugh
02:44:45 Rep. Carlie Boland, HD 23, Great Falls, Great Falls
Community Ice Foundation

EXHIBIT(jnh55a25)

02:46:08 Rep. Margaret Campbell, HD 31, Fort Peck, Fort Peck
Irrigation and Brockton Sewer Lagoon projects

EXHIBIT(jnh55a26)

02:47:10 Rep. Michele Reinhart, HD 97, Missoula, transit
services
02:50:25 Richard Oppen, Director, Department of Environmental
Quality

EXHIBIT(jnh55a27)

02:53:43 Chairman Kasten
02:54:05 Mr. Oppen
02:55:41 Rep. Sesso
02:55:56 Mr. Lynch
02:56:22 Rep. Sesso
02:57:27 Mr. Lynch
02:57:39 Rep. Sesso
02:58:52 Mr. Lynch
02:59:33 Rep. Jones returned.
03:00:31 Rep. Sesso
03:00:50 Mr. Lynch
03:00:58 Rep. Sesso
03:01:05 Mr. Lynch
03:01:09 Rep. Sesso
03:01:21 Mr. Lynch
03:01:51 Rep. Sesso
03:03:47 Mr. Lynch
03:06:36 Sen. Tropila
03:07:02 Mr. Lynch
03:08:58 Sen. Brenden

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
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03:10:22 Mr. Lynch
03:13:10 Chairman Hollenbaugh
03:13:34 Mr. Lynch
03:13:58 Chairman Hollenbaugh
03:14:05 Mr. Lynch
03:14:16 Chairman Hollenbaugh
03:14:27 Mr. Lynch
03:15:33 Rep. Sesso
03:17:04 Mr. Lynch
03:19:31 Rep. Jones
03:20:14 Mr. Lynch
03:20:30 Chairman Hollenbaugh
03:20:47 Bob Church, Great West Engineering, Helena, Central
Montana Regional Water Authority
03:23:57 Chairman Hollenbaugh
03:24:04 Rep. Sesso
03:24:09 Mr. Church
03:24:36 Mary Sexton, Director, DNRC
03:29:23 Jim Edgcomb, Treasure State Endowment Program
03:30:36 Rep. Llew Jones, HD 27, Conrad, Pondera County projects

EXHIBIT(jnh55a28)

03:32:44 Chairman Hollenbaugh
03:32:47 Mark Sweeney, County Commissioner, Anaconda and Deer
Lodge
03:34:01 Chairman Hollenbaugh

Questions from Committee Members and Responses:

03:34:17 Sen. Cooney
03:35:28 Mr. Opper
03:37:38 Sen. Cooney

03:38:06 Chairman Hollenbaugh
03:38:29 Rep. Sesso
03:39:10 Chairman Kasten
03:39:33 Rep. Sesso
03:39:59 Chairman Hollenbaugh
03:40:19 Rep. Sesso
03:41:22 Chairman Kasten
03:41:29 Ms. Duncan
03:43:10 Chairman Kasten
03:43:37 Rep. Jones
03:43:54 Chairman Hollenbaugh

ADJOURNMENT

03:44:14 Adjournment: 11:50 A.M.

Tyrrell Hibbard, Secretary

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Additional Exhibits

EXHIBIT(jnh55a29)

EXHIBIT(jnh55a30)

EXHIBIT(jnh55a31)

EXHIBIT(jnh55a32)

EXHIBIT(jnh55a33)

EXHIBIT(jnh55a34)

EXHIBIT(jnh55a35)

EXHIBIT(jnh55a36)

EXHIBIT(jnh55a37)

EXHIBIT(jnh55a38)

Additional Documents:

EXHIBIT(jnh55aad.pdf)

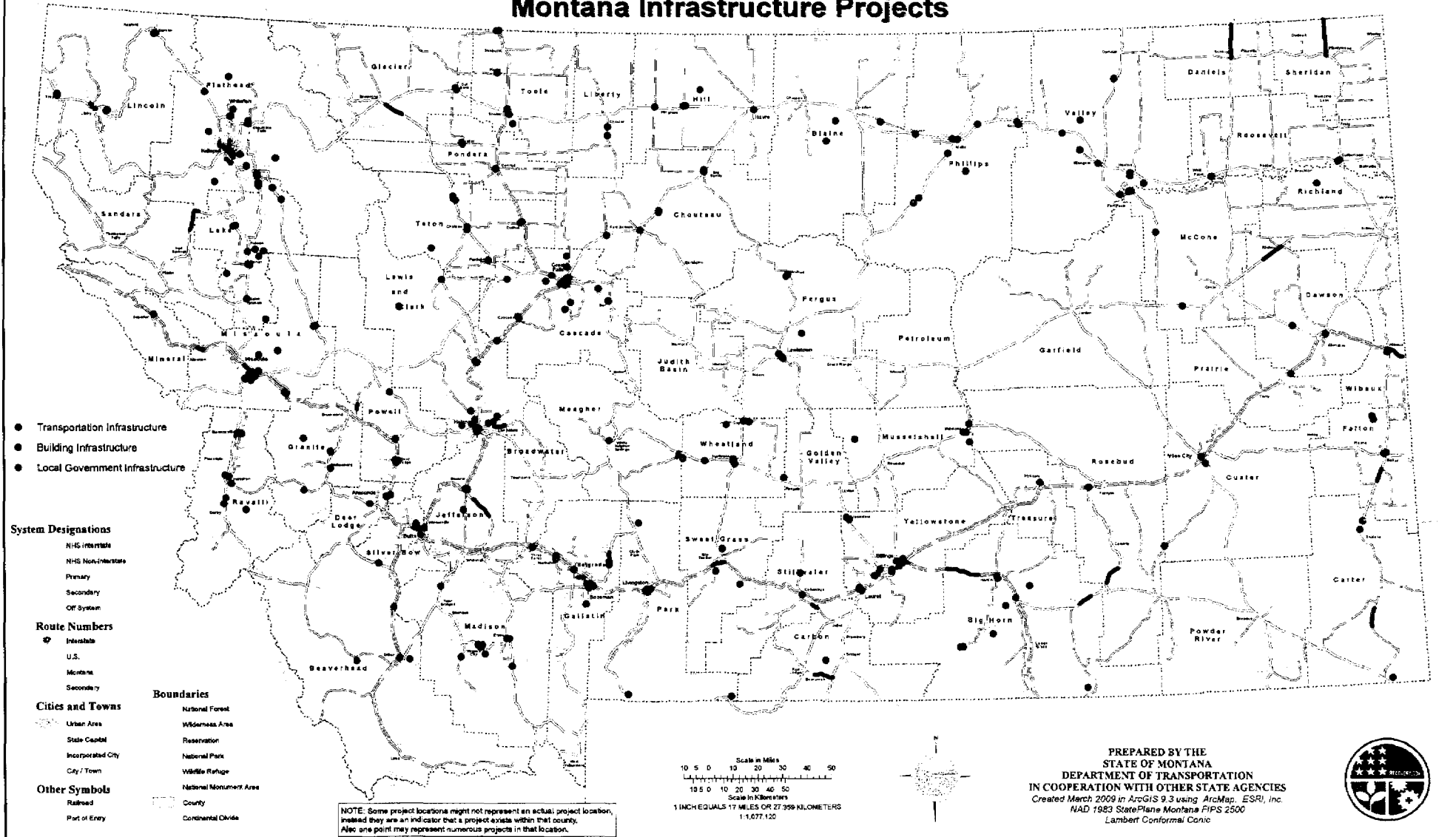
HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES & TRANSPORTATION SUBCOMMITTEE
and
LONG-RANGE PLANNING SUBCOMMITTEE

DATE: 3/12/2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. DAVE KASTEN	✓	
SEN. GREG BARKUS	✓	
SEN. JOHN BRUEGGEMAN		✓
SEN. MIKE COONEY	✓	
REP. DENNIS GETZ	✓	
REP. WALTER McNUTT		✓
REP. JOHN SESSO	✓	
SEN. CAROL WILLIAMS		✓
REP. GALEN HOLLENBAUGH	✓	
SEN. RICK RIPLEY	✓	
REP. DUANE ANKNEY	✓	
SEN. JOHN BRENDEN		✓
REP. LLEW JONES	✓	
REP. ROBERT MEHLHOFF	✓	
SEN. MITCH TROPILA		✓

PROJECT 1
 DATE 3/12/09
 645

American Recovery and Reinvestment Act of 2009 Montana Infrastructure Projects



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LONG RANGE BUILDING PROGRAM

2
EXHIBIT 2
DATE 3/12/09
HA 645

HB 5 Long-Range Building Program

Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										Total
				LRBP	SBECP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	
1	DOC	Energy Conservation Improvements, DOC	Deer Lodge, Glendive, Billings	0	10,000				500,000	2,610,000	1,260,000			4,380,000
2	DOA	Renovation & Energy Improvements, State Liquor Warehouse	Helena		460,000				1,750,000					2,210,000
3	DOA	Mechanical & Energy Projects, Capitol Complex	Helena		0				1,600,000	1,924,000				3,524,000
4	DMA	Energy Conservation Improvements, DMA	Billings, Livingston, Harlowton, Lewistown, Fort Harrison, Helena		265,000			885,000						1,150,000
5	MSDB	Energy & Facility Improvements, MSDB	Great Falls	250,000	25,000									275,000
6	DOC	Alternative Energy-Biomass Boiler, MSP	Deer Lodge		740,000			250,000						990,000
7	Statewide	Energy Related Deferred Maintenance	Statewide	870,000							2,280,000			3,150,000
8	DPHHS	DPHHS Energy Projects, Statewide	Boulder, Columbia Falls, Glendive, Warm Springs, Lewistown		0					2,132,000				2,132,000
9	DEQ	Energy Projects at Community Colleges, Statewide	All Community Colleges Eligible, Statewide		0					1,000,000				1,000,000
10	DOA	Cabinet Agency Energy Projects, Statewide	Helena, Great Falls, Virginia City, Nevada City, Billings, Missoula, Kalispell, Butte, Miles City		0					6,525,000				6,525,000
11	DNRC	Energy/Major Repairs & Small Projects, DNRC	DNRC Unit locations statewide	1,000,000										1,000,000
12	Statewide	Spending Authority, Utility Energy Conservation Funds	Statewide						2,000,000					2,000,000
13	Statewide	Hazardous Materials Abatement	Statewide	400,000										400,000
14	Statewide	Roof Repairs & Replacements	Statewide	1,310,000				700,000						2,010,000
15	DOA	Elevator & ADA Modifications, Capitol Complex	Helena						1,450,000					1,450,000

LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program																
Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources												
				LRBP	SBECF	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	Total		
16	Statewide	Repair/Preserve Building Envelopes	Statewide	1,500,000										1,500,000		
17	Statewide	Code Deferred Maintenance	Statewide	2,000,000										2,000,000		
18	MDT	Statewide Maintenance, Repair & Small Projects	Statewide				2,625,000							2,625,000		
19	MUS	Code Compliance/Deferred Maintenance, MUS	Missoula, Bozeman, Butte, Billings, Great Falls, Dillon, Havre, Helena, MAES-statewide	3,600,000					1,000,000					4,600,000		
20	DOA	Infrastructure Repairs, State Capitol	Helena	500,000					300,000					800,000		
21	Commerce	Historic Preservation & Supporting Improvements, MHC Statewide	Virginia City, Nevada City, Reeders Alley-Helena	750,000										750,000		
22	Statewide	Campus Infrastructure	Statewide	1,000,000										1,000,000		
23	DMA	Storm Water Improvements/Infrastructure, Phase 3, FT Harrison	Fort Harrison					1,600,000						1,600,000		
24	DMA	Paving Parking Lots, DMA Statewide	Hamilton, Anaconda, Glasgow, Malta	100,000				100,000						200,000		
25	DOA	Parking Lot Upgrades, Capitol Complex	Helena						250,000					250,000		
26	DOC	Emergency Power System, MSP	Deer Lodge	500,000										500,000		
27	Agriculture	Renovation & Energy Upgrades, State Grain Lab	Great Falls	525,000										525,000		
28	Statewide	Upgrade Fire Protection Systems	Statewide	800,000										800,000		
29	DOC	Renovate Low Support, MSP	Deer Lodge	500,000							1,660,000			1,660,000		
30	DPHHS	Improve Medical Services, MDC	Boulder	450,000										450,000		
31	Statewide	Campus Master Planning	Statewide	200,000			100,000		200,000					500,000		
32	DOC	New Building for Youth Transition Center	Great Falls	1,310,000										1,310,000		

LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program															
Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										Total	
				LRBP	SBECF	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTC (Cat 3)		
33	DOC	Improve Food Production, DOC	Deer Lodge	300,000											300,000
34	DMA	Federal Spending Authority	Statewide					2,000,000							2,000,000
35	MDT	Equipment Storage Buildings, Anaconda, Glasgow Statewide					1,175,000								1,175,000
36	MDT	US Highway 93 Projects	US Highway 93				24,100,000								24,100,000
37	MUS	General Spending authority, UM	Missoula, Butte, Dillon, Helena						6,000,000						6,000,000
38	FWP	Future Fisheries	Statewide				1,150,000								1,150,000
39	FWP	Hatchery Maintenance	Statewide				575,000	275,000							850,000
40	FWP	Community Fishing Ponds	Statewide				50,000								50,000
41	FWP	Clearwater Fish Barrier	Statewide				825,000	25,000							850,000
42	FWP	Habitat Montana	Statewide				8,110,000								8,110,000
43	FWP	Upland Game Bird Program	Statewide				1,525,000								1,525,000
44	FWP	Wildlife Habitat Maintenance	Statewide				1,010,000								1,010,000
45	FWP	Migratory Bird Stamp Program	Statewide				620,000								620,000
46	FWP	Bighorn Sheep	Statewide				150,000								150,000
47	FWP	Hunting Access	Statewide				2,500,000								2,500,000
48	FWP	Access Montana	Statewide											6,000,000	6,000,000
49	FWP	Parks Program	Statewide				3,040,000	2,000,000							5,040,000
50	FWP	FAS Acquisition	Statewide				500,000	100,000							600,000

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LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program

Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources											Total
				LRBP	SBECP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)		
51	FWP	FAS Site Protection	Statewide				900,000								900,000
52	FWP	Grant Programs/Federal Projects	Statewide				320,000	1,500,000							1,820,000
53	FWP	Admin Facilities Repair & Maint	Statewide				1,390,000								1,390,000
	DOA	Exterior Envelope Improvements, MT Law Enforcement Academy	North of Helena								425,000				425,000
	DOA	Renovations & Energy Improvements, Phase 2 State Liquor Warehouse	Helena								1,200,000				1,200,000
	DOC	Facility Repairs & Improvements, WATCH East	Glendive								650,000				650,000
	DNRC	Facility Repairs & Improvements, DNRC Swan & Stillwater Units	Seeley-Swan, Olney								64,828		335,172		400,000
	DOC	Renovate Low Support Phase 2 MT State Prison	Deer Lodge								1,240,000				1,240,000
	MUS	Renovate Main Hall Phase 2, Dillon Jail - Western									6,000,000				6,000,000
	DPHHS	Renovation/Addition to Spratt Building, MT State Hospital	Warm Springs								1,640,000				1,640,000
	DPHHS	Montana Veterans' Home Improvements, Statewide	Columbia Falls, Glendive								1,200,000				1,200,000
	DNRC	Consolidate DNRC Divisions, Missoula	Missoula										350,000		350,000
	DPHHS	Office of Public Assistance, Wolf Point	Wolf Point								2,250,000				2,250,000
	Statewide	Statewide Facilities Planning	Deer Lodge, Billings, Columbia Falls, Glendive, MAES										400,000		400,000
	DNRC	Central Land Office Building Renovation/Replacement, DNRC	North of Helena								1,600,000				1,600,000
	MUS	Energy Conservation Improvements (Energy Program Component)	Missoula, Bozeman, Butte, Billings, Great Falls, Dillon, Havre, Helena, MAES statewide							9,697,000					9,697,000

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LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program

Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										Total
				LRBP	SBECF	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	
	MUS	Energy Conservation Improvements (Deferred Maintenance Component)	Missoula, Bozeman, Butte, Billings, Great Falls, Dillon, Hayden, Helena, MAES statewide						4,500,000		12,300,000			16,800,000
	DNRC	Building Addition, Billings Oil & Gas Office	Billings				1,300,000							1,300,000
	FWP	Rose Creek Hatchery	Big Fork									5,000,000		5,000,000
	DMA	Construct Female Latrines DMA Culbertson & Malta	Culbertson, Malta									451,800		451,800
	DMA	Helicopter Dip Site	Fort Harrison									279,268		279,268
	DMA	Vault Modifications - DMA Statewide	Statewide									500,000		500,000
	FWP	Mobley Diversion Watershed	SW of Miles City									300,000		300,000
	FWP	Fort Peck Hatchery Infrastructure	Fort Peck									720,000		720,000
	FWP	Fort Peck Hatchery Hydroelectric Generation	Fort Peck									9,200,000		9,200,000
	FWP	Willow Creek Feeder Canal Project	Augusta									1,250,000		1,250,000
	FWP	Vandalia Fish Passage	Hinsdale/Tampico (NW of Glasgow)									5,000,000		5,000,000
	DNRC	Rehabilitate Ruby Dam DNRC	Emms										2,000,000	2,000,000
TOTAL LONG RANGE BUILDING PROGRAM														
- Revised with Stimulus Proposal -				\$17,365,000	\$1,500,000	\$0	\$51,965,000	\$9,435,000	\$19,550,000	\$23,888,000	\$33,769,828	\$22,701,068	\$9,085,172	\$189,259,068

LRBP PROPOSAL SUMMARY - ALL FUND CATEGORIES

AGENCY	LRBP	SBECF	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	Total
Statewide LRBP Appropriations	8,080,000	0	0	100,000	700,000	2,200,000	0	2,280,000	0	400,000	13,760,000

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LONG RANGE BUILDING PROGRAM

HB 5

Long-Range Building Program

Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										
				LRBP	SBECP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	Total
Statewide SBECP Appropriations				0	0	0	0	0	0	7,525,000	0	0	0	7,525,000
Dept of Justice				0	0	0	0	0	0	0	425,000	0	0	425,000
MT School for the Deaf & Blind				250,000	25,000	0	0	0	0	0	0	0	0	275,000
Fish, Wildlife & Parks				0	0	0	22,665,000	3,900,000	0	0	0	21,470,000	6,000,000	54,035,000
Dept of Transportation				0	0	0	27,900,000	0	0	0	0	0	0	27,900,000
DNRC				1,000,000	0	0	1,300,000	0	0	0	1,664,828	0	2,685,172	6,650,000
Dept of Revenue				0	460,000	0	0	0	1,750,000	0	1,200,000	0	0	3,410,000
Dept of Administration				500,000	0	0	0	0	3,600,000	1,924,000	0	0	0	6,024,000
Dept of Agriculture				525,000	0	0	0	0	0	0	0	0	0	525,000
Corrections				2,110,000	750,000	0	0	250,000	500,000	2,610,000	4,810,000	0	0	11,030,000
Labor & Industry				0	0	0	0	0	0	0	0	0	0	0
Military Affairs				100,000	265,000	0	0	4,585,000	0	0	0	1,231,068	0	6,181,068
DPHHS				450,000	0	0	0	0	0	2,132,000	5,090,000	0	0	7,672,000
Dept of Commerce				750,000	0	0	0	0	0	0	0	0	0	750,000
Montana University System				3,600,000	0	0	0	0	11,500,000	9,697,000	18,300,000	0	0	43,097,000
LRBP PROPOSAL TOTALS				\$17,365,000	\$1,500,000	\$0	\$51,965,000	\$9,435,000	\$19,550,000	\$23,888,000	\$33,769,828	\$22,701,068	\$9,085,172	\$189,259,068

Treasure State Endowment Program - HB 11

Rank	Applicant	Recommended	Notes
1	Philipsburg, Town of	750,000	
2	Ravalli County	137,193	
3	Sweet Grass County	93,360	
4	Melstone, Town of	625,000	EXHIBIT 3
5	Fergus County	167,200	DATE 3/12/09
6	Rudyard County W&S District	319,000	HB 645
7	Cascade, Town of	625,000	
8	Powell County	304,248	
9	Wolf Creek Co. W&S District	750,000	
10	Judith Gap, Town of	750,000	
11	Gardiner Park Co. W&S District	358,000	
12	Winifred, Town of	500,000	
13	Beaverhead County	290,668	
14	Sweet Grass Community Co. W&S District	625,000	
15	Nashua, Town of	421,300	
16	Laurel, City of	625,000	
17	Homestead Acres W&S District	573,325	
18	Crow Tribe	750,000	
19	Carbon County	492,915	
20	Lewis and Clark County	456,628	
21	Madison County	413,203	
22	Cut Bank, City of	500,000	
23	Broadview, Town of	500,000	
24	St. Ignatius, Town of	253,000	
25	Jefferson County	160,690	
26	Stillwater County	292,979	
27	Wibaux, Town of	500,000	
28	Bigfork Co. W&S District	750,000	
29	Choteau, City of	500,000	
30	Valier, Town of	625,000	
31	Carter Choteau Co. W&S District	750,000	
32	Hardin, City of	500,000	
33	Upper & Lower River Rd W&S District	500,000	Original Funding Line
			Projects below the line are first come first serve as start-up conditions are met
34	Gildford Co. W&S District	538,000	
35	Big Sandy, Town of	500,000	
36	Ronan, City of	750,000	
37	Granite County	197,000	
38	Missoula County (for Seeley Lake)	750,000	
39	Seeley Lake Sewer District	750,000	
40	Dutton, Town of	500,000	
41	Blaine County	384,160	
42	Loma County W&S District	750,000	
43	Harlowton, Town of	500,000	Funding Line with HB 645
44	Kevin, Town of	500,000	
45	Flathead County for Bigfork	625,000	
46	Woods Bay Homesites W&S District	730,000	***Potential Funding Line with Appropriation Change
			Total HB 11 Appropriation = \$17,800,000
47	Shelby, City of	625,000	
48	Whitefish, City of	500,000	
49	Eureka, Town of	625,000	
50	Troy, City of	715,000	
51	Fallon Co. North Baker W&S District	120,000	
52	Sheaver's Creek W&S District	600,000	
53	Yellowstone County	228,753	

Treasure State Endowment Program - HB 11

Rank	Applicant	Recommended	Notes
54	Gore Hill Co. Water District	250,300	
55	South Chester County Water District	131,000	
56	Livingston, City of	500,000	
57	Flathead Co. Water District #8 (Happy Valley)	500,000	
58	Bynum/Teton Co. W&S District	567,000	
59	Bozeman, City of	500,000	
60	Fort Smith W&S District	500,000	
61	Jette Meadows W&S District	750,000	
62	Greater Woods Bay Sewer District	488,000	
63	Em-Kayan Co. W&S District	290,619	
64	Stevensville, Town of	500,000	
65	Bridger Pines Co. W&S District	400,000	
Total TSEP Grants Recommended		\$32,123,541	

Renewable Resource Grants and Loans
Grant Funding Transformation Through HB 645

4
EXHIBIT 4
DATE 3/12/09
HB 645

HB 6

Rank	Applicant	Grants	Notes
1	Dutton, Town of Dutton WW System Improvements	\$100,000	
2	Philipsburg, Town of Philipsburg WW System Improvements	100,000	
3	Upper Lower River Road WSD Upper Lower River Road Phase 3 Water & Wastewater Improvements	100,000	
4	Fork Peck Tribes Fort Peck Tribes lateral L-56 Rehab Project	100,000	
5	Bitter Root Irrigation District Bitter Root Irrigation District Siphon 1:Phase 1	100,000	
6	Milk River Irrigation Project Milk River system-wide Geolrrigaton Mapping Project	65,004	
7	Big Sandy, Town of Big Sandy WW Improvement Project	100,000	
8	Beaverhead CD Big Hole Spring Creek Kalsta Spring Creek WQ Enhancement	97,485	
9	DNRC- Water Resources Div Ruby Dam-Rehabilitation Project	100,000	
10	Nashua, Town of Nashua Water System Improvements	100,000	
11	Hysham ID Pump Station Electrical Improvements Project	100,000	
12	Yellowstone County West Billings Flood control and Groundwater Recharge Study	100,000	
13	Clinton Irrigation District Main Canal Rehabilitation Project	99,610	
14	Hardin, City of Hardin WW System Improvements	100,000	
15	Lewistown, City of Lewistown WW System Improvements	100,000	
16	Winifred, Town of Winifred WW System Improvements	100,000	
17	Gildford County WSD Gildford WW System Improvements	100,000	
18	Melstone, Town of Melstone Water System Improvements	100,000	
19	Hysham ID SDSS Flow Monitoring/Data Transfer Project	100,000	
20	Choteau, City of Choteau WW System Improvements	100,000	
21	Wolf Creek County WSD Wolf Creek WW System Improvements	100,000	
22	Lower Musselshell CD Lost Horse Creek Siphon Pipeline Rehabilitation	100,000	
23	Whitefish, City of Whitefish WW System Improvements	100,000	
24	Gardiner-Park County WSD Gardiner WW System Improvements	100,000	
25	DNRC- Water Resources Div Twodot Canal Rehabilitation Project	100,000	
26	Cascade, Town of Cascade Water System Improvements	100,000	
27	Sweet Grass County CD Post-Kellogg Diversion Structure Infrastructure Rehabilitation	100,000	
28	Wibaux, Town of Wibaux WW System Improvements	100,000	
29	Ravalli County Environmental Health Bitterroot Valley Septic Systems Impact Evaluation Model	100,000	
30	Bynum Teton County WSD Bynum Water System Improvements	100,000	
31	Lake County Lake County LiDAR Mapping Project	100,000	
32	Ravalli County		

Renewable Resource Grants and Loans
Grant Funding Transformation Through HB 645

HB 6

Rank	Applicant	Grants	Notes
	Ravalli County Phase II LiDAR Mapping	100,000	
33	Judith Gap, Town of Judith Gap Water and WW System Improvements	100,000	
34	Crow Tribe of Indians Crow Agency WW System Improvements Phase IIIA	100,000	
35	Stevensville, Town of Stevensville WW Improvements Project	100,000	
36	Flathead County Bigfork Stormwater System Improvements	100,000	
37	Kevin, Town of Kevin Water System Improvements	100,000	
38	Em-Kayan Village WSD Em-Kayan Village Water System Improvements	100,000	
39	Broadview, Town of Broadview Water System Improvements	100,000	
40	DNRC- Water Resources Div Deadman's Basin Terminal Outlet Replacement Project	100,000	
41	Big Horn CD Water Reservations Efficiencies	19,486	
42	DNRC- Water Resources Div Martinsdale Reservoir Dam Drain Project	100,000	
43	Loma County WSD Loma Water System Improvements	100,000	
44	Woods Bay Homesites WSD Woods Bay WW System Improvements	100,000	
45	Sheaver's Creek WSD Sheaver's Creek WW System Improvements	100,000	
46	Bozeman, City of Hyalite Creek Source Water Protection Barrier Project	100,000	Funding after HJR 2 Amendments
47	Greater Woods Bay Sewer District Greater Woods Bay WW System Improvements	100,000	
48	Virginia City, Town of Virginia City WW System Improvements	100,000	
49	Helena Valley ID HVID Main Canal Lining Project	100,000	
50	Flathead County Flathead Regional Wastewater Management Group	89,993	
51	North Baker WSD North Baker WW System Improvements	100,000	
52	Valier, Town of Valier Water System Improvements	100,000	Original Funding Line
53	Flathead Joint Board of Control FJBC Jocko K Canal Lining	100,000	
54	Sweet Grass County Yellowstone Greycliff Study	80,000	
55	Cut Bank, City of Cut Bank Water System Improvements	100,000	
56	Confederated Salish and Kootenai Tribes Upper Jocko S Lining Project	100,000	
57	St. Ignatius, Town of St. Ignatius Water System Improvements	100,000	
58	Missoula County Lewis and Clark Subdivision RSID Water System Improvements	100,000	
59	Bridger Pines County WSD Bridger Pines WW System Improvements	100,000	
60	Ennis, Town of Ennis Water System Improvements	100,000	
61	Laurel, City of Laurel Water System Improvements	100,000	
62	Fort Smith WSD Fort Smith Water System Improvements	100,000	
63	Troy, City of Troy Water System Improvements	100,000	

Renewable Resource Grants and Loans
Grant Funding Transformation Through HB 645

HB 6

Rank	Applicant	Grants	Notes
64	DNRC- Water Resources Div Nevada Creek Canal Design and Construction Project	100,000	
65	Granite County Granite County Solid Waste Improvements	100,000	
66	Harlowton, City of Harlowton Water System Improvements	100,000	
67	Jette Meadows WSD Jette Meadows Water System Improvements	100,000	
68	Homestead Acres County WSD Homestead Acres Water System Improvements	100,000	
69	South Chester Water District South Chester Water System Improvements	100,000	
70	Bigfork WSD Bigfork WW System Improvements	100,000	
71	Greenacres County WSD Greenacres Water System Improvements	100,000	
72	Livingston, City of Livingston Anaerobic Digester Improvements and Composting	100,000	
73	Eureka, Town of Eureka Water System Improvements	100,000	
74	Manhattan, Town of Manhattan Water System Improvements	100,000	
75	Stevensville, Town of Stevensville Water System Improvements	100,000	
76	Buffalo Rapids Project District II Conversion of laterals 2.9/7.6 to Pipeline	100,000	
77	Flathead Basin Commission Mapping the Impacts of Septic Systems:A Shallow GW Study	100,000	
78	Daly Ditches ID Hedge Canal Diversion Dam Replacement	100,000	
79	Fort Shaw Irrigation District Water Quality and Quantity Improvement	100,000	
80	East Bench Irrigation District EBID Sweetwater Seepage Area Canal Lining	100,000	
81	MSU Montana Watercourse Watershed Education for Real Estate Agents	19,333	
82	Shelby, City of Shelby WW System Improvements	100,000	Adjusted Funding Line with HB 645
83	Buffalo Rapids Project District II Increasing Pump Discharge Line Efficiency:Phase II	100,000	Total Project appropriation = \$8,005,798
84	Sweet Grass County WSD Sweet Grass Water System Improvements	100,000	
85	Gore Hill County Water District Gore Hill Water System Improvements	100,000	
86	Whitefish County WSD Investigation of Septic Leachate to Littoral Areas of Whitefish Lake	70,000	
87	Richland County CD Lower Yellowstone GW Reservation	100,000	
88	MSU Montana Water Center Decisionmaker's Guide To Montana's Water	99,462	
89	Ronan, City of Ronan Water System Improvements	100,000	
	City of Missoula Fort Missoula/Bitterroot River Bank Stabilization Design Project	0	
	Garfield County CD Mosby Musselsheli Watershed Group Water Storage Project	0	
	Greenfields Irrigation District Pishkun Enlargement Study	0	

Reclamation and Development Grant Program
Grant Funding Transformation Through HB 645

HB 7

Rank	Applicant	Grants	Notes
1	Montana Board of Oil and Gas 2009 Northern District Orphaned Well Plug & Abandonment & Site Restoration 2009 Southern District Orphaned Well Plug & Abandonment	\$300,000	
2	& Site Restoration	300,000	
3	MT DNRC-Trust Land Management Division Reliance Refinery	300,000	
4	City of Shelby Shelby Refinery	300,000	
5	Missoula County St. Louis Creek Mine Reclamation	300,000	
6	MT - Department of Environmental Quality Spring Meadow Lake Reclamation Project	300,000	
7	Cascade County Commission County Shops Remediation of Wood Treatment	300,000	
8	MT - Department of Environmental Quality McLaren Tailings Reclamation Project	300,000	
9	City of Lewistown** Reclamation of Berg Lumber Site	300,000	
10	Town of Ryegate Former Ryegate Conoco	259,200	
11	MT - Department of Environmental Quality Emery Reclamation Project	0	
12	Park County Fleshman Creek Urban Restoration Project	300,000	
13	Butte-Silver Bow City-County Government Butte Mining District-Reclamation and Protection Project	300,000	
14	Missoula County Ninemile Creek Mining District Reclamation	200,800	
15	MT - Department of Environmental Quality Beal Mountain Mine: Waste Rock Dump Soil Cover	300,000	
16	Lewis & Clark Conservation District York Gulch Old Amber Mine Reclamation Project	83,207	
17	Ruby Valley Conservation District Big Hole Cooperative Ditch Improvement Project	239,658	Funding after HJR 2 Amendments
18	MT DNRC-Water Resources Division** Monitoring Coal-Bed Methane Development Effects on	195,000	
19	Montana Public Service Commission** WITHDRAWN Geologic Evaluation of Potential Sites for Compressed Air Energy Storage in Montana	0	Original Funding Line
20	Flathead Basin Commission Flathead Lake Mapping Project	294,977	
21	Jefferson County Ground-Water Quality Assessment with Emphasis on Radionuclides	300,000	Adjusted Funding Line with HB 645
22	Meagher County Conservation District Hydrologic Framework & Water Budget of the Upper Smith River Watershed, Meagher County	300,000	Total Project Appropriation = \$5,432,665
23	Custer County Conservation District** Yellowstone River Riparian Restoration Project	177,881	
24	Cascade County Commission Sustainable Water Supplies from the Madison Aquifer,	286,792	
25	Butte-Silver Bow City-County Government	289,607	

Long Range Information Technology - HB 10

ENRIT 5
DATE 3/12/09
HA 645

Agency	Project	Stimulus Funding
Long-Range Information Technology Funding		
Department of Revenue		
	Efficiency through Imaging	\$ 3,366,178
Secretary of State		
	Management Information System	\$ 5,500,000
Department of Health and Human Services		
	Medicaid Management Information System Replacement	\$ 3,500,000
General Fund Appropriations		
Department of Administration		
	Interoperability Montana	\$ 2,000,000
	Enterprise System Services Center Equipment	\$ 3,500,000
Department of Health and Human Services		
	Child Support Planning	\$ 500,000
Total Stimulus Funding		\$ 18,366,178

MDT CANDIDATE LIST
FOR
RECOVERY PROJECTS

EXHIBIT

DATE

3/12/09

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This list contains projects from MDT's current program that are candidates for economic recovery funding. The ability to fund all projects on this list with economic recovery funding is dependent on actual project costs and funding available to MDT through the American Recovery and Reinvestment Act of 2009 (ARRA). Additional remaining projects have been identified to ensure that all the ARRA funds will be fully utilized to meet obligation deadline requirements and other conditions.

GRAND TOTAL OF RECOVERY PROJECT \$233,754,448

GRAND TOTAL OF PROJECTS NOT USED \$205,302,472

GRAND TOTAL FROM FEBRUARY 20TH COMMISSION MEETING \$439,056,921

* Totals vary slightly from \$439M Feb 20th figure due to estimate and project adjustments

Phase 1-Obligated within 120 days of enactment (50%)

Phase 2-Obligated within 1 year of enactment (50%)

MISSOULA DISTRICT

Dist	LOC	PPMS Scope	Estimated Cost w/o Indirect Costs	PHASE
1	SCOTT ST OVERPASS-MSLA	BRIDGE REHAB	\$2,606,523	Phase I
1	BOBTAIL JCT-WEST	CHIP SEAL	\$233,211	Phase I
1	KALISPELL-NORTH	CHIP SEAL	\$265,650	Phase I
1	S-503: SE OF FOYS LAKE	CHIP SEAL	\$220,060	Phase I
1	POWELL COUNTY LINE-SOUTH	CHIP SEAL	\$128,880	Phase I
1	ALBERTON-EAST	Mill/Fill	\$823,251	Phase I
1	Missoula - West	Seal and Cover	\$259,513	Phase I
1	HIGGINS/HILL/BECKWITH-MISSOULA	INT UPGRADE/SIGNALS	\$894,266	Phase I
1	SOUTH AVE-CLEMENTS TO RESERVE	MILL & FILL	\$1,096,791	Phase I
1	RUSSELL ST - FAIRVIEW TO 39TH	MILL & FILL	\$228,827	Phase I
1	HIGGINS-BWAY TO CLARK FORK BR	MILL & FILL	\$180,607	Phase I
1	ORANGE-BWAY TO CLARK FORK BR	MILL & FILL	\$100,824	Phase I
1	ST MARYS RD - N&S	RECONSTRUCTION	\$7,795,020	Phase I
1	LONEPINE - NORTH AND EAST	RECONSTRUCTION	\$12,532,877	Phase II
1	PABLO BIKE/PED OVERCROSSING	BIKE/PED FACILITIES	\$2,269,858	Phase II
1	US 2 SOUTH-KALISPELL	RECONSTRUCTION	\$16,400,000	Phase II
1	Will work with local community to identify specific projects		\$2,406,000	Phase I
		Total District 1	\$48,442,156	
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE				
1	SUPERIOR AREA STRUCTURES	BRIDGE REHAB	\$6,942,837	Phase I
1	SUPERIOR-WEST	CHIP SEAL	\$740,838	Phase I
1	LOTHROP-BEARMOUTH STRUCTURES	BRIDGE REHAB	\$3,282,483	Phase II
1	SF069-CONRAD DR/SHADY LN-KAL	INT IMPROVEMENTS	\$65,755	Phase II
1	Kalispell - East	Mill & Fill	\$1,775,381	Phase I
1	VICTOR URBAN - NORTH	RECONSTRUCTION	\$2,252,323	Phase II
1	HUTTON RANCH PLAZA - KALISPELL	BYPASS R/W PURCHASE	\$614,589	Phase II
1	RESERVE DRIVE SOUTH-KALISPELL	RECONSTRUCTION	\$2,462,739	Phase II
1	SF069-CONRAD DR-E OF KALISPELL	RECONSTRUCTION	\$267,403	Phase II
1	2001-SFTY IMP-5 KM N KALISPELL	RECONSTRUCTION	\$432,229	Phase II
1	BELL CROSSING - N&S	RECONSTRUCTION	\$8,170,261	Phase II
1	INDIAN PRAIRIE LOOP - N&S	RECONSTRUCTION	\$7,538,138	Phase I
		Remaining Total District 1	\$34,544,976	

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BUTTE DISTRICT				
Dist	LOC	PPMS Scope	Estimated Cost w/o Indirect Costs	PHASE
2	BATTLE RIDGE-N&S	CHIP SEAL	\$1,194,108	Phase I
2	CHINOOK ST-C ST-GALLATIN ST	MILL & FILL	\$164,826	Phase I
2	EAST BOZEMAN INTCH WETLAND MIT	WETLANDS	\$335,788	Phase I
2	EASTON WETLAND/STREAM	WETLANDS	\$408,557	Phase I
2	FRONT ST-MONTANA TO UTAH	MILL & FILL	\$689,988	Phase I
2	CLARK FORK-2 KM E WARM SPRINGS	BRIDGE REPLACEMENT	\$578,643	Phase II
2	JCT MT 85 - EAST East Section	RECONSTRUCTION	\$6,563,212	Phase II
2	ELKHORN ROAD-SOUTH	REHAB - MAJOR	\$9,468,701	Phase II
2	BUTTE AREA STRUCTURES	BRIDGE REPLACEMENT	\$9,701,035	Phase II
2	DEWEY BLVD EXTENSION-BUTTE	RECONSTRUCTION	\$3,065,053	Phase II
2	EAST THREE FORKS INTERCHANGE	SAFETY	\$6,216,027	Phase II
2	MARTINSDALE - NORTH	RECONSTRUCTION	\$5,195,511	Phase II
2	CULVERT-SOUTH OF CAMERON	CULVERT	\$186,744	Phase II
Total District 2			\$43,768,192	
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE				
2	MRL STRUCTURES-BOZEMAN	BRIDGE REPLACEMENT	\$15,740,838	Phase II
2	GRAND/HARRISON AVE - BUTTE	RECONSTRUCTION	\$854,813	Phase II
2	HARRISON-AMHERST FRONT-BUTTE	RECONSTRUCTION	\$9,539,716	Phase II
2	LIVINGSTON-NE	REHAB	\$4,237,244	Phase II
2	JCT MT 85 - EAST West Section	RECONSTRUCTION	\$6,350,167	Phase II
Remaining Total District 2			\$36,722,777	
GREAT FALLS DISTRICT				
Dist	LOC	PPMS Scope	Estimated Cost w/o Indirect Costs	PHASE
3	MILK RIVER-E OF HARLEM	BRIDGE REPLACEMENT	\$2,722,251	Phase I
3	2002-BIG MUDDY CR-N OF BYNUM	BRIDGE REPLACEMENT	\$3,109,767	Phase I
3	BENTON-EUCLID TO GILBERT	MILL & FILL	\$367,351	Phase I
3	1ST AVE N-WEST OF RIVER DR	MILL & FILL	\$460,284	Phase I
3	HAUSER-BENTON TO HENDERSON	OVERLAY	\$631,247	Phase I
3	Park Dr. - 6th St. - 1st Ave. N	OVERLAY	\$344,555	Phase I
3	RIVER DR-1ST TO 9TH	OVERLAY	\$611,959	Phase I
3	6th Street N - 8th to Central	OVERLAY	\$289,321	Phase I
3	19 KM NW OF GLACIER CO LINE-NW	REHAB - MAJOR	\$12,796,774	Phase I
3	SF069-FLASHER-N OF HELENA	SAFETY	\$31,562	Phase I
3	SF069-FLASHERS-YORK RD-NE HLNA	SAFETY	\$30,686	Phase I
3	CUSTER-GRN MEADOW-MT	MILL & FILL	\$656,672	Phase I
3	JCT S-284-WEST	RECONSTRUCTION	\$13,531,475	Phase II
3	SMELTER AVE & 10TH ST N-GTF	RECONSTRUCTION	\$2,681,922	Phase II
3	DEARBORN REST AREA	REST AREA	\$4,723,830	Phase I
3	2000-SFTY-WYLIE DR-N EAST HLNA	SAFETY	\$1,734,175	Phase II
3	SIDEWALK PROGRAM-GTF PHASE 2	ADA SIDEWALK RAMPS	\$1,928,809	Phase I
Total District 3			\$46,652,639	
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE				
3	MILK RIVER - 7 KM W HARLEM	BRIDGE REPLACEMENT	\$2,427,670	Phase II
3	2002 INT IMPVTS - GTF	INT IMPROVEMENTS	\$299,842	Phase II
3	AUGUSTA INTERCHANGE -HARDY CREEK	RECONSTRUCTION	\$30,685,604	Phase II
3	SF 089 Signal Jct 518	Traffic Signal + misc roadwork	\$789,058	Phase II
Remaining Total District 3			\$34,202,174	

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MDT CANDIDATE LIST
FOR
RECOVERY PROJECTS

3/11/2009

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GLENDIVE DISTRICT				
Dist	LOC	PPMS Scope	Estimated Cost w/o Indirect Costs	PHASE
4	D4-INTERSTATE STR REHAB	BRIDGE REHAB	\$3,979,484	Phase I
4	STRUCTURES-NE OF EKALAKA	BRIDGE REPLACEMENT	\$2,170,787	Phase I
4	STRUCTURES - NW OF BAKER	BRIDGE REPLACEMENT	\$760,126	Phase I
4	SCOBY - NORTH (PHASE II)	CHIP SEAL	\$438,366	Phase I
4	WIBAUX-EAST (EB)	MILL & FILL	\$1,620,200	Phase I
4	PLENTYWOOD-NORTH	OVERLAY	\$4,073,295	Phase I
4	RICHEY-WEST	OVERLAY	\$2,890,584	Phase I
4	NORTH OF LAME DEER-NORTH	OVERLAY - COLD MILL	\$1,829,739	Phase I
4	40 KM S OF EKALAKA-S (PH III)	RECONSTRUCTION	\$15,838,155	Phase I
4	D4-CULVERTS-PHASE III	CULVERT	\$4,857,093	Phase II
4	JUNCTION S-322-SOUTH	RECONSTRUCTION	\$7,410,135	Phase II
Total District 4			\$45,867,964	
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE				
4	JCT US 191-WHTEWATER	RECONSTRUCTION	\$13,999,649	Phase II
4	BIG MUDDY CREEK - WEST	RECONSTRUCTION	\$13,789,234	Phase II
4	BROCKTON - EAST	RECONSTRUCTION	\$15,187,621	Phase II
Remaining Total District 4			\$42,976,504	
BILLINGS DISTRICT				
Dist	LOC	PPMS Scope	Estimated Cost w/o Indirect Costs	PHASE
5	BOULDER RIVER-WEST	MILL & FILL	\$4,407,329	Phase I
5	BIG HORN COUNTY LINE-EAST	OVERLAY	\$5,854,813	Phase I
5	BELFRY-WEST	OVERLAY	\$1,802,560	Phase I
5	LOCKWOOD-SOUTHEAST	OVERLAY	\$528,669	Phase I
5	PINEHILLS INTCH - WEST	OVERLAY - COLD MILL	\$2,191,829	Phase I
5	BUSBY-NE	REHAB - MAJOR	\$3,271,962	Phase I
5	Canyon Creek	RECONSTRUCTION	\$7,000,000	Phase I
5	SHILOH ROAD CORRIDOR-BILLINGS	RECONSTRUCTION	\$15,536,560	Phase II
5	8TH AVE - MAIN TO 9TH - LAUREL	RECONSTRUCTION	\$3,622,655	Phase II
5	7 KM EAST OF COLUMBUS - EAST	RECONSTRUCTION	\$4,807,119	Phase II
Total District 5			\$49,023,496	
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE				
5	BRIDGER-FROMBERG	MILL & FILL	\$2,362,792	Phase I
5	BIG HORN CO LINE-SW	MILL & FILL	\$3,300,018	Phase I
5	POMPEYS PILLAR-WACO INTCH	MILL & FILL	\$7,677,538	Phase I
5	WACO INTCH-CUSTER	MILL & FILL	\$7,617,920	Phase I
5	ABSAROKEE N & S	RECONSTRUCTION	\$18,784,850	Phase II
5	JUDITH GAP	RECONSTRUCTION	\$6,911,275	Phase II
5	CARBON CO LINE - EAST	RECONSTRUCTION	\$4,204,804	Phase II
5	HARLOWTON REST AREA	REST AREA	\$5,333,158	Phase II
5	I90 EB off/Zoo Drive	Traffic Signal	\$227,073	Phase II
5	I90 WB off/Zoo Drive	Traffic Signal	\$227,073	Phase II
5	KINDSFATER WETLAND	WETLANDS	\$209,539	Phase II
Remaining Total District 5			\$56,856,041	

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HB 645

US Fish Wildlife Service	\$20 million for Montana Fishes – hatcheries Money will pass thru Fish Wildlife and Parks. Shovel ready 120 days – with ½ the funds needing to be committed By 2010 - ½ funds must be completed.
US Forestry Service	\$600,000 for infrastructure \$600,000 Fuel reduction
Science	Office of Science at the Department of Energy has grants for research facilities to make improvements on laboratories and scientific facilities. These are competitive grants.
Broadband	Applications must be completed thru the Montana Department of Commerce to get matching Federal monies. \$460 million.
School Facilities	Applications must be completed through the Montana Department of Commerce to get receive a grant. \$43 million.

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HS 645

Other Areas to find Stimulus Monies

Economic Development Administration	Public Works Program Economic distress CDBG and TSEP are partners and would need a 50% match. State or local could be match. This would be an allocated thru the region not a state allocation. \$150-250, which will add 2-3 projects in Montana.
Housing and Urban Development/Indian Community Development Block Grants	\$16 million Public housing is their biggest portion Home investment program Homeless initiative
State Community Development Block Grants	<u>Rural Housing Insurance Fund Loans.</u> US Department of Agric. Rural Development has more funding for direct loans through your local banks with a reduced rate. Guarantee loan goes through mortgage insurance product that can be used with conventional or board of housing loans. <u>Neighborhood Stabilization Program</u> has \$19.6 million available that is not stimulus money but is now available.
Bureau of Indian Affairs (Billings)	Projects up for stimulus Road Construction, Water, Schools, Irrigation, Safety of dams
Indian Health Service	Money will be issued thru the federal agencies. It will be straight money not thru the state but may offset state.
Army Corps of Eng	Current project list Fort Peck (fish passage) Could add a project with a sponsor Must be in construction by 2011
Natural Resource Conservation Service	Private land owners, BLI56 two projects, Buffalo Rapids Projects, Lower Birch Project Relieve flood plain easement (current there is a signup list) Resource and Development Council (current wish list being developed for economic development, hazardous fuel reduction – there is no current money here)

2.05M

County Commission

William A. Murdock

Joe P. Skinner

Steve White

Phone (406) 582-3000

FAX (406) 582-3003

GALLATIN COUNTY

311 West Main, Rm. 306 • Bozeman, MT 59715

February 26, 2009

Representative Ted Washburn
Montana House of Representatives
PO Box 200400
Helena, MT 59620-0400

COUNTY 8
DATE 3/12/09
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Dear Representative Washburn,

With the recent approval by Congress of President Obama's American Recovery & Reinvestment Act (ARRA), Gallatin County would like to take this opportunity to remind you of proposed projects that have been on our priority list as well as those of several of your state agencies. We send this letter in hopes of receiving stimulus funds to pursue completion for the projects listed below. These have all been identified as high priority public needs through a very transparent process in many public hearings.

Due to our diverse economy, Montana State University, and our high quality of life Gallatin County has been the fastest growing county in Montana and recently became Montana's third most populous. Gallatin County is striving to maintain the current level of service to its residents and visitors. In light of our continued efforts, we have met many challenges to provide adequate public infrastructure. We understand stimulus funds are to be funneled through existing state programs, so we have organized projects in the following list by the appropriate division. These are our highest priority level projects.

COMMUNITY DEVELOPMENT PROJECTS

Hebgen Lake Estates Wastewater Treatment System

In November 2005, the Montana Department of Environmental Quality issued a Notice of Violation and Administrative Order to Gallatin County requiring the Hebgen Lake Estates Wastewater Treatment System be brought into compliance with the Montana Water Quality Act. MDEQ extended this order three times to allow us to resolve the issue and now we are very close to construction. To protect the pristine water quality of Hebgen Lake, we respectfully request \$2,050,000 in stimulus funds to complete this project and protect the water quality in one of Montana's most sensitive and important watersheds.

The existing wastewater treatment plant at Hebgen Lake Estates was built in the 1970s utilizing aerated lagoon technology that is now obsolete. Based upon water balance calculations, the aerated lagoon is leaking an estimated 2.4 million gallons of wastewater per year into groundwater adjacent to Hebgen Lake, which is 28 times the MDEQ standard. Water quality monitoring data confirms that the system has been exceeding the State and Federal water quality standard for nitrate concentrations in groundwater since at least 2004.

We believe this project has local, statewide and national significance. Hebgen Lake Estates is located within close proximity to Hebgen Lake and undoubtedly the leakage of the lagoons has a high potential to negatively impact the ground and surface water quality adjacent to and within Hebgen Lake – a critical resource the people of Gallatin County and Montana most assuredly want to protect. Ensuring excellent water quality in Hebgen Lake will help the long term water quality of the Madison River – again, a water body of national significance that plays a fundamental role in the regional economy. Moreover, the wastewater system is in close proximity to Yellowstone National Park and National Forest lands that

provide amenities critical to our state's economic vitality. As you can tell, improving water quality by correcting this unfortunate situation should be a high priority for stimulus funds.

The proposed replacement of the existing wastewater treatment system will eliminate the leakage and bring the system into compliance with the Federal Clean Water Act and Montana Water Quality Act. To determine the most appropriate technology to rectify this situation, Gallatin County has already conducted a Preliminary Engineering Report (PER), which evaluated the existing system, identified deficiencies, and recommended the existing system be replaced with new technology. We are now entering the construction design phase and need stimulus money to complete construction.

We certainly recognize local residents should participate in replacement of this system, however, without additional grant funding the level of indebtedness to Hebgen Lake Estates residents will result in a combined water and sewer rate that is well in excess of the affordable target rate established by the Montana Department of Commerce. To ensure this project is funded within these limits, we have been fortunate to obtain a Department of Natural Resources and Conservation (DNRC) grant of \$100,000 and Treasure State Endowment Program (TSEP) grant of \$750,000. The remainder of the project could be financed with stimulus money through the State Revolving Fund program.

We estimate this project will generate 25 jobs during construction and up to 2 full-time positions after completion. Most importantly, this project will correct a situation that has a potential to impact the water quality in Hebgen Lake. Please consider this project for stimulus funds.

TRANSPORTATION PROJECTS

I-90 East Belgrade Interchange (STIP Project #IM-MT 90-6(112)299)

Gallatin Field is the second busiest airport in the state and as such is certainly one of the most critical economic drivers in all of southwestern Montana. We believe that improving the public's access to Gallatin Field from Interstate 90 is absolutely critical to ensuring planned improvements at the airport and continue to provide evermore competitive economic advantages for our region and the entire state. As you know, the project has received \$8 million in FY07 Federal Highway earmark funds and interstate maintenance funds, but these funds are insufficient for the entire project. MDT, the Airport Authority Board, the City of Belgrade and Gallatin County all signed a Memorandum of Understanding that each party would contribute to the overall responsibility for improvements to all the connector roads for the public to access a new interchange. This amounts to roughly \$15 million in local contributions. Additional funding will be required to move forward into the construction phase. As the current budget estimate for the total project cost is \$39,360,000, we respectfully request the stimulus funds in the amount of \$14,000,000 to fulfill the project's financial shortfall.

This project has been identified by both the State and the County as a critical regional transportation improvement. The Department of Transportation identified this project in the 2008-2012 MDT Statewide Transportation Improvement Program (STIP) and the County has repeatedly identified the need for this interchange in updates to the Great Bozeman Area Transportation Plan. Quite simply, this project has been on the State's and County's radar for a long time. We believe it is time to build it.

We are proud that this project has been the result of an extensive partnership – a concept we believe you find to be important in developing public infrastructure. Over the past decade, Gallatin County has partnered with the Department of Transportation, the City of Belgrade and the Gallatin Airport Authority to develop this project. We have done so because all partners believe the installation of a new interchange in this location would improve access to the airport, and increase safety and traffic flow in the area while reducing the public's overall fuel consumption as congestion and wait times are reduced.

We know this project will provide significant short and long term stimulus to our regional economy. We estimate 100-125 jobs would be created during construction and countless others would be generated or maintained as construction dollars flow into Gallatin County. We also believe the access improvements to the airport will ensure future airport expansions will be supported by surrounding infrastructure – a critical key to ensuring continued regional economic expansion. Moreover, the City of Belgrade

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anticipates that should the interchange be built, Alaska Road south of the interchange will become a new business district providing additional economic expansion opportunities for the region. Please consider funding the remaining portion of the financing for this project with stimulus money.

Valley Center (– MT Hwy 85, both East and West project) (STIP Project #STPS 235-1(8)0)

Just as the proposed interchange has regional and statewide economic importance, Valley Center Road provides one of the most critical transportation connections between two of the Gallatin's economic centers: Bozeman and Belgrade. Valley Center Road also acts as one of our County's main arterials connecting tens of thousands of our residents to their homes, schools, and work. We believe the time is now for reconstructing the entire length of this road and as such respectfully request \$15,000,000 in federal stimulus money.

Just as the proposed interchange has been planned for several years, the reconstruction of Valley Center has also been identified for years as a critical transportation project by both MDT and the County. The Greater Bozeman Area Transportation Plan (2001 and 2007 updates) identifies Valley Center as one of the top recommended major street network improvements in our valley. MDT's 2008-2012 STIP, the Belgrade and County Growth Policies have all identified this area as a major growth area and thus recognize this area should be the focus of major investments in infrastructure into the future.

We believe a major reconstruction is drastically needed on this principal arterial in order to facilitate the continued growth and safety for Gallatin Valley motorists. This road has increased substantially in trips per day (ADT) due to the rapid growth during the last twenty years and our most recent counts have ADT's upwards of 2300 to 5900 between the Bozeman city limits and Jackrabbit Lane just south of Belgrade – counts we believe are far beyond the capacity of the roadway as currently constructed.

As with the proposed interchange, we have partnered with MDT on developing improvements to this road and are fortunately very close to construction. MDT has completed the design for Valley Center improvements as well as acquiring the majority of the right-of-way for the project. According to MDT this project is a high priority, only ten parcels remain for right-of-way acquisition, and the proposed improvements will include a separated pedestrian/bike facility - a major piece in providing alternative transportation options for the public and reducing fuel consumption. This project is estimated to create 100-125 jobs during construction and will provide a critical component of the continued development of our key economic centers in the Gallatin Valley for years to come.

Amsterdam Ramp

Another important linkage in our regional transportation system that can generate jobs and improve circulation is the construction of a new entry ramp onto eastbound I-90 at Amsterdam Road. Currently Amsterdam Road suffers from heavy congestion during peak travel hours due to a high volume of travelers leaving residential developments as well as large truck (semi trailer) traffic. Over 60% of this traffic is attempting to get onto I-90. Gallatin County and MDT worked together with a plan to improve congestion of the eastbound travelers by evaluating additional on-ramps, traffic signals, lane additions and traffic signal phasing. Additional traffic signals, signal phasing and lane additions are all short-term solutions. We need a long term solution.

In MDT's presentation to Gallatin County on May 22, 2008, it recommended two long-term solutions:

- The addition of a ramp from Amsterdam Road linking to the existing loop that brings traffic from Jackrabbit southbound onto I-90 heading East (morning peak traffic); and
- The addition of a right turn lane southbound on Jackrabbit at the Amsterdam Road intersection to significantly reduce wait times and improve traffic flow (evening peak traffic).

The advantage of a new ramp is that it directly removes traffic from Amsterdam Road and frees congestion at the Jackrabbit/Amsterdam intersection. Most likely, this new loop would require additional traffic control for traffic to merge onto the loop. Drainage, snow plowing and other safety concerns will need to be taken into account through an Environmental Assessment but we believe this addition would drastically clear what is currently a two-mile bottleneck. The estimated cost of this additional on-ramp is \$500,000

to \$1,000,000 (for entire completion). This project could create 5-10 jobs, dependent upon creation of a ramp and/or additional turn lanes.

Axtell-Anceney Bridge

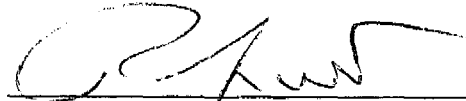
The Axtell-Anceney Bridge spans the Gallatin River just north of Gallatin Gateway and has been on the State off-system bridge list for at least five years, which labels the structure as functionally obsolete. This list identifies bridges that should be replaced due to deterioration, weight limit restrictions (currently posted @15T – 19T depending on number of axels), reduced width to one lane traffic, etc. The most recent MDT inspection was performed June 17, 2008 with a Sufficiency Rating of 17.2 and a Health Index of 50.84. This bridge is next on MDT's bridge inventory list for replacement, as well as the County Road & Bridge Superintendent's highest priority. The replacement cost for this structure is estimated between \$1.2 – 1.8 million. Replacement of this bridge would provide a reliable connection in that area of the valley and rapidly increase response times for emergency service providers. This improvement would also allow school bus, truck and agricultural traffic along with the general traveling public a safe crossing of the Gallatin River. This project could create 8-10 jobs during construction.

We would like to thank you for this opportunity to provide you information on the projects that have been high priority for many Montana agencies. Each of these projects have different benefits. We believe these projects offer statewide value in the creation of jobs and will enable future economic activity in Gallatin County as well as the rest of Montana, including safer access for emergency vehicles, and creating or improving public health and safety incidents of water and wastewater. Any projects funded by ARRA would relieve local tax dollars by allowing them to be retained for local maintenance projects rather than new infrastructure.

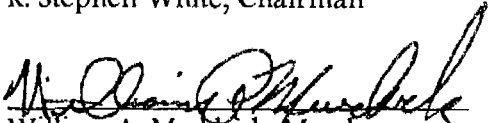
We recognize the difficulty you, the Legislature and your agencies will have in deciding upon the most proper and efficacious distribution of the federal stimulus funds and have thus proposed only the most critical of our public infrastructure projects based on need and the ability to commence construction within a short amount of time. We also understand the need to track the expenditures with the utmost care and transparency and pledge to you our commitment to do so. As we face the future, we realize Gallatin County will continue to play a significant role in the future economic expansion of Montana. Thank you for your consideration of our requests.

Sincerely,

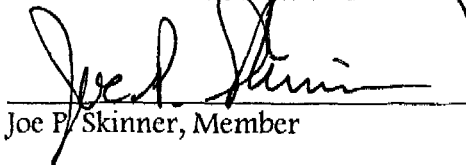
GALLATIN COUNTY COMMISSION



R. Stephen White, Chairman



William A. Murdock, Member



Joe P. Skinner, Member

CC: Senator Max Baucus
Senator Jon Tester
Representative Denny Rehberg

FY2010 APPROPRIATIONS REQUEST

1
EXHIBIT 29
DATE 3/12/09
645

Project Name: **Manhattan Water Project**

Requesting Entity: **Town of Manhattan, Montana**

Requesting Individual: **Mayor Anthony M. Haag**

Amount Requested: **\$4,000,000 for construction of a water project**

Appropriations Bill: **EW: Energy and Water**

Agency: **EPA**

Account: **STAG/WRDA**

Project Justification:

The Town of Manhattan has experienced massive growth in the actual footprint of the Town with the annexation of seven subdivisions in 2007 (Exhibit A). Sewer bills are set to increase from \$45.20 to \$83.00 in 2009, if additional customers are not added to shoulder some of the burden of the new Wastewater Treatment Plant that was designed for a twenty-year population projection as required by the state. In 2009 State Revolving Fund Loan principal will be added to the total. Water rates will increase from \$27.00 (flat rate) to \$37.84 following the installation of water meters, a water tower and main line replacement. With the above increases in the water and sewer fees, Manhattan will have one of the highest combined rates in Montana. Water meters are essential for water conservation and equity in paying for what you consume. Meters will be helpful to our many one resident homes on fixed incomes and the school will be metered to pay their fair share. The water tower will solve our inadequate fire flows at the school and in the commercial area adjacent to Main Street.

Description of the Project: (Exhibit B1-8)

Manhattan residents only have to read the morning newspaper (Exhibit C) and watch to the evening news telecast to understand what is happening in the Town of Manhattan (Town). The current and projected growth and infrastructure improvements the Town faces to meet new and current environmental and public water supply and fire protection standard to support its current population base and projected growth is continually in the news. Most recently the Town received federal and state funding through a combination of federal grants and state loans to build a new and state-of-the-art wastewater treatment plant and new interceptor sewer to

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meet projected growth and more stringent discharge standards. The plant is going on-line in the next month. This plant will go a long way to accommodate at least some of the projected growth in Town. The new plant will provide much improved treatment and improved water quality to its discharge stream.

Improvements to the wastewater treatment system were a major achievement for the Town. While a subsequent expansion to this new plant will be inevitable in the future to meet build-out projections for newly annexed properties, the groundwork has been laid to meet projected wastewater flow increases now and into the foreseeable future.

The Town is now faced with the expensive task of expanding and upgrading its water system. The cost of doing so is on parity with the costs to improve the Town's wastewater system. Like the improvements to the sewer system, the scheduled water system improvements needs are twofold: 1) to improve the level of service to the Town's existing customer base and 2) to provide the same improved service to the build-out population expected from seven (7) major new subdivisions recently annexed to Town. Water system enhancements are needed to increase the Town's groundwater source water supply, its system storage capacity and improved delivery of the stored water throughout the distribution grid. When combined, all of these scheduled water improvements will allow the Town to meet more stringent State water standards, better and more reliable water flow and system pressure and much improved fire protection. The lack of system storage and substandard fire protection has historically plagued Manhattan.

The Town was proactive to meet the challenges it faced with its wastewater infrastructure and it is proactive, here, when faced with the challenges it needs to meet with its water system. Aggressive steps have been taken and are well under way to plan for increased needed source water supply (a newly permitted and high capacity groundwater supply well), a new 400,000 gallon elevated water storage tank, a new state of the art operating SCADA (supervisory control and water data acquisition) or telemetry system, and the needed large diameter transmission and trunk water main pipelines to effectively and efficiently deliver stored water throughout the Town's distribution grid. Historically, the Town has manually operated its water supply wells and Southside booster station. The new SCADA system will provide a sophisticated electronic touch screen telemetry system that will allow the operator to administer the water system from a central computer.

To list, quantify and cost these needed capital water improvements, the Town developed a comprehensive Capital Improvements Program (CIP) and retained engineers to develop plans and specifications and provide cost estimates for construction of those capital improvements highlighted

1,750,000 3



EXHIBIT 10
DATE 3/12/09
PAGE 645

February 26, 2009

Mr. Ben Johnson, Mayor
P.O. Box 228
Brockton, MT59213

Re: Wastewater Pond Project
Town of Brockton
IE# S0806107

Based upon a very preliminary design to relocate the wastewater treatment ponds to a new location we have estimated the total project cost around \$1.75 million. This option will need to be reviewed in more detail during the Preliminary Engineering Report phase.

This alternative will still require reclamation of the old ponds and sludge removal. This option is also expected to incorporate a new lift station to facilitate lagoon operation.

The following is a very preliminary breakdown of costs for the project:

Construction Cost	\$ 1,410,000
Contingency	\$ 140,000
Engineering Design	\$ 70,000
Construction Engineering	\$ 65,000
Geotechnical Engineering	\$ 20,000
Legal/Admin	\$ 45,000
TOTAL	\$ 1,750,000

If you have any questions please feel free to contact myself or Jeff Hintz.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Lonni Fleck'.

Lonni Fleck, P.E.
Senior Project Engineer

\$750,000.00 is requested for 2009

\$750,000.00 is requested for 2010

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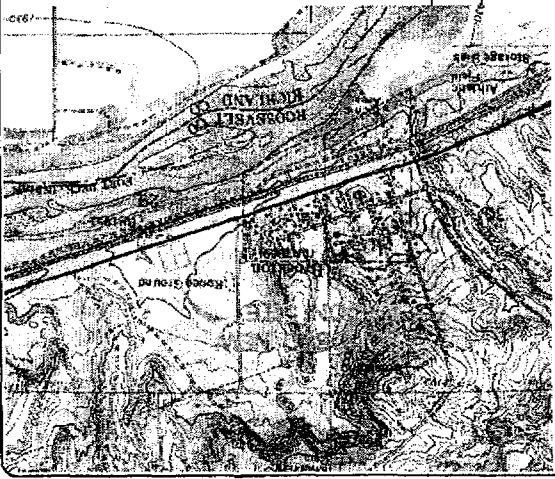
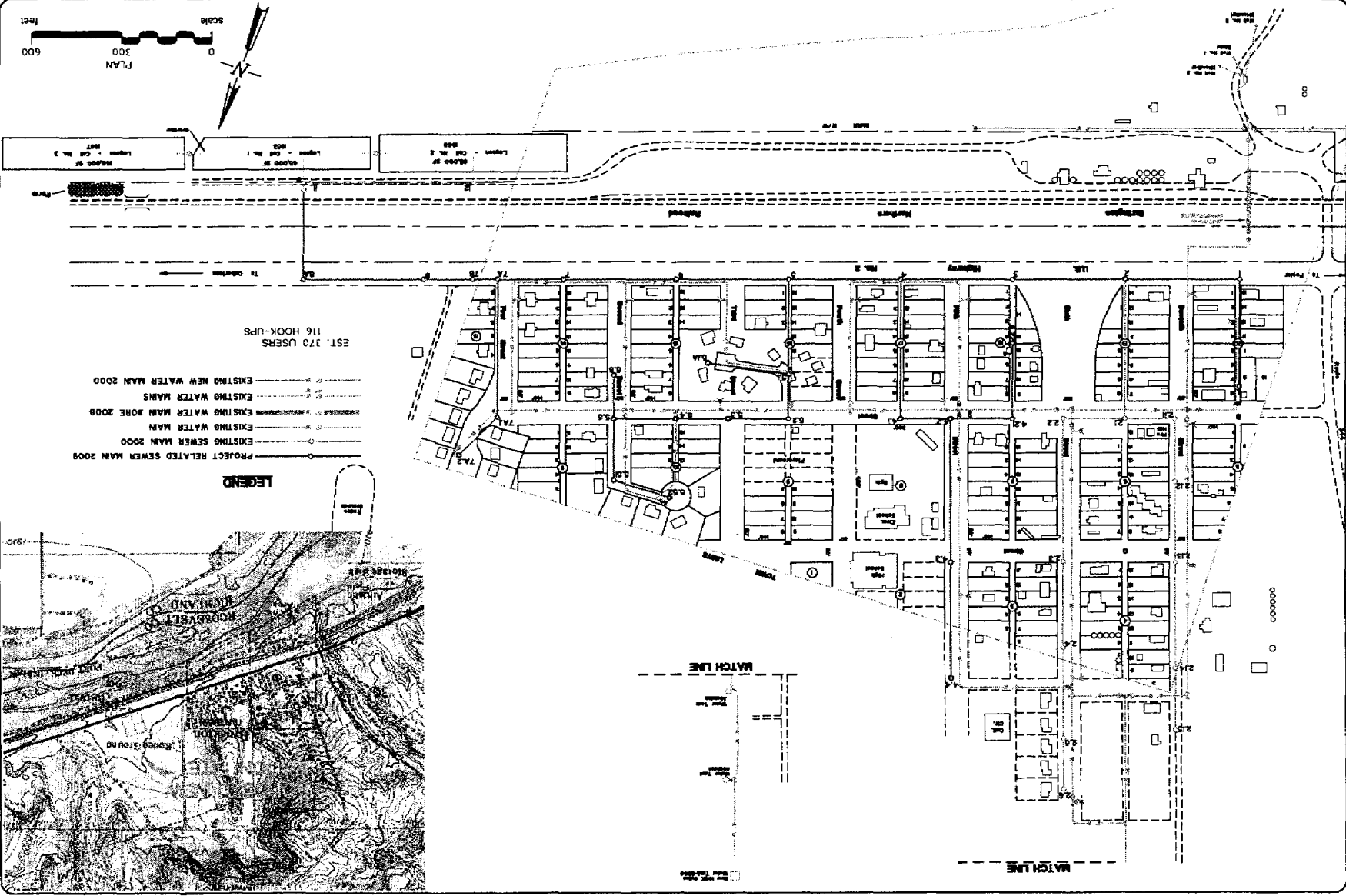
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SHEET

TOWN OF BROCKTON
TOWN UTILITY MAP
PROJECT LOCATION MAP
BROCKTON, MONTANA

Drawn By: J.L.M. Project No: 202-1-02
Checked By: J.S.M. Date: FEBRUARY 2003

NO.	DATE	BY	DESCRIPTION





TOWN OF BROCKTON WASTE WATER TREATMENT SYSTEM IMPROVEMENTS Project Narrative

PROJECT BACKGROUND:

The Town of Brockton is located approximately 13 miles east of Poplar Montana adjacent to US. HWY 2 and rests within the boundaries of the Fort Peck Indian Reservation in Roosevelt County. The town overlooks the banks of the Missouri River directly to the south. According to the 2000 census the town has an estimated population of 245 people however, the town provides water and sewer utility services to nearly 370 users and currently has 116 water/sewer service accounts.

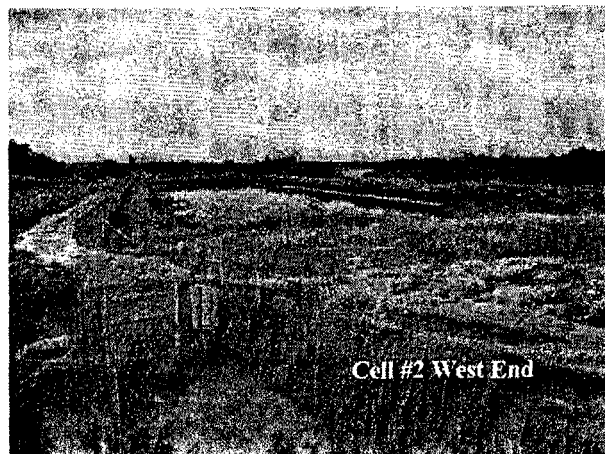
COLLECTION SYSTEM:

The town's waste water collection system is comprised of nearly 14,000 linear feet of sewer mains and 41 manholes. Of the total footage of sewer mains, it is estimated that nearly 2,000 linear feet of sewer main is the original vitrified clay pipe and/or asbestos cement pipe installed in the early 1950's. This pipe is scheduled to be replaced during the 2009 construction season through a grant provided by Indian Health Service (IHS). With this project, all sewer mains within the collection system will likely be updated with polyvinyl chloride (PVC) pipe.

TREATMENT SYSTEM:

The Town of Brockton operates a three cell facultative lagoon system directly south of the community and adjacent to the Missouri River. Normal operation of the lagoon system requires discharge into the Missouri River in accordance with the permit requirements as issued from the Montana State Department of Health and Environmental Sciences (MSDHES). The discharge permit issued by the department allows a BOD level of 30 mg/l.

Flows into the treatment system are based on a projected population of 370 people plus flows from the school and other service hookups, the expected average daily flow is approximately 42,000 gallons/per/day (gpd). The final design will consider a 2% growth over a 20 year design period.



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Page 2

The center cell of the treatment system (cell 1) is the oldest cell and was originally constructed in 1953. The capacity of this cell has been determined at approximately 65,000 square feet (SF) or 1.5 acres. In 1969 a second cell was added to the west side of cell 1 with a capacity of 85,000 SF or 1.9 acres. In 1987 a third cell (Cell 3) was added directly to the east of Cell 1 with a capacity nearly 165,000 SF or 3.8 acres. Cell 2 cannot be used to its full capacity as the floor elevation of the pond is heavily loaded with sludge and is above the influent piping. A lift station was installed in 2000 by IHS to overcome this issue, however, has not been placed into operation nor has this project been completed yet due to lack of funding. Sludge elevations in cells 1 and 3 is also expected to be high as none of the cells have ever been cleaned since their construction.

Currently, bank erosion from the Missouri River is threatening the dike system in the south-west corner of cell 2. If the existing ponds are to be rehabilitated, measures will need to be taken to adequately protect cell 2 and guard the riverbank from further erosion. Costs of armor plating the riverbank will likely exceed \$1 million itself in addition to the lagoon rehabilitation costs.



PROPOSED PROJECT:

Interstate Engineering, Inc. has been retained by the Town of Brockton to complete a Preliminary Engineering Report (PER) study to be used to apply for funding through the various state and federal funding agencies. The study will outline the various options of wastewater treatment and select the best treatment process and cost effective alternative to meet the current and future needs of the town. Some of the treatment alternatives to be studied will include, rehabilitation of all three current treatment cells, relocation of the treatment system to a new location, or abandoning the lagoon system and incorporating an extended aeration wastewater treatment package plant. Other alternatives will likely be looked into including the "Do Nothing" alternative.

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Page 3

Of the above alternatives listed, it is expected that relocating the treatment ponds to a new location will likely be the selected alternative. Of course, this option will need to be reviewed in more detail during the PER study. With this option, the river erosion becomes a non-issue to the

town, however, dealing with the reclamation of the old ponds and sludge removal will be required with all of the listed alternatives. This option is also expected to incorporate a new lift station to be installed to facilitate adequate lagoon operation.

ENVIRONMENTAL IMPACT:

A complete environmental assessment review of the project study area will be completed during the PER study. At this time, there is no evidence of extraordinary or exceptional circumstances that would preclude the project from meeting the criteria for use of the categorical exclusion. No work will begin on this project until a complete environmental assessment has been completed and approved and a "Finding of No Significant Impact" (FONSI) has been approved and made available for public comment.

COST:

At this stage of the project, the selected alternative would include the relocation of the treatment ponds to an area away from the Missouri River and out of the flood plain. Based on previous and similar projects completed by Interstate Engineering, Inc. for town's similar in size, Circle-2008, Wibaux-2008, Richey-2006 and Nashua-2003, it is estimated that the selected alternative would cost approximately \$1.75 million. This alternative will likely be a non-discharging facility and include the installation of a new lift station and synthetic liner.

If you have any question or require any clarification to the above report or attachments, please do not hesitate to contact us at your convenience.

ATTACHMENTS

- Town Utility System Map

Q:\2008\S08-06\107 Brockton - lagoon_sewer\Documents\TOWN OF BROCKTON Preliminary Report.doc

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EX-11
DATE 3/12/08
645

Fiscal Year 2009 Entitlement Share Method			
County	FY2009 Entitlement Share Payment	Each County Share as a percent of the whole	Dollar distribution of \$1 million as a percent of the total
Beaverhead	\$362,657	0.9512%	\$9,512
Big Horn	\$40,371	0.1059%	\$1,059
Blaine	\$216,366	0.5675%	\$5,675
Broadwater	\$371,405	0.9742%	\$9,742
Carbon	\$487,381	1.2784%	\$12,784
Carter	\$151,529	0.3975%	\$3,975
Cascade	\$521,004	1.3666%	\$13,666
Chouteau	\$624,708	1.6386%	\$16,386
Custer	\$341,090	0.8947%	\$8,947
Daniels	\$265,040	0.6952%	\$6,952
Dawson	\$998,770	2.6198%	\$26,198
Deer Lodge	\$1,124,030	2.9483%	\$29,483
Fallon	\$287,646	0.7545%	\$7,545
Fergus	\$287,628	0.7544%	\$7,544
Flathead	\$3,285,551	8.6180%	\$86,180
Gallatin	\$2,082,776	5.4631%	\$54,631
Garfield	\$173,767	0.4558%	\$4,558
Glacier	\$485,252	1.2728%	\$12,728
Golden Valley	\$48,987	0.1285%	\$1,285
Granite	\$283,403	0.7434%	\$7,434
Hill	\$499,837	1.3111%	\$13,111
Jefferson	\$703,481	1.8452%	\$18,452
Judith Basin	\$285,964	0.7501%	\$7,501
Lake	\$810,167	2.1251%	\$21,251
Lewis And Clark	\$1,462,109	3.8351%	\$38,351
Liberty	\$292,616	0.7675%	\$7,675
Lincoln	\$715,695	1.8773%	\$18,773
Madison	\$611,442	1.6038%	\$16,038
McCone	\$255,264	0.6696%	\$6,696
Meagher	\$120,577	0.3163%	\$3,163
Mineral	\$294,489	0.7724%	\$7,724
Missoula	\$3,506,012	9.1962%	\$91,962
Musselshell	\$155,327	0.4074%	\$4,074
Park	\$562,080	1.4743%	\$14,743
Petroleum	\$48,959	0.1284%	\$1,284
Phillips	\$238,816	0.6264%	\$6,264
Pondera	\$386,496	1.0138%	\$10,138
Powder River	\$325,355	0.8534%	\$8,534
Powell	\$173,683	0.4556%	\$4,556
Prairie	\$145,123	0.3807%	\$3,807
Ravalli	\$1,191,530	3.1254%	\$31,254
Richland	\$398,745	1.0459%	\$10,459
Roosevelt	\$334,212	0.8766%	\$8,766
Rosebud	\$2,379,071	6.2403%	\$62,403
Sanders	\$943,886	2.4758%	\$24,758
Sheridan	\$442,022	1.1594%	\$11,594
Silver Bow	\$3,547,039	9.3038%	\$93,038
Stillwater	\$770,721	2.0216%	\$20,216
Sweet Grass	\$274,140	0.7191%	\$7,191
Teton	\$409,807	1.0749%	\$10,749
Toole	\$497,949	1.3061%	\$13,061
Treasure	\$97,172	0.2549%	\$2,549
Valley	\$176,970	0.4642%	\$4,642
Wheatland	\$134,595	0.3530%	\$3,530
Wibaux	\$259,263	0.6800%	\$6,800
Yellowstone	\$2,234,498	5.8611%	\$58,611
Totals	\$38,124,473	100.0000%	\$1,000,000

Current Population Estimate Method			
County	Current Population Estimate	Each County Share as a percent of population	Dollar distribution of \$1 million as a percent of population
Beaverhead	8,804	0.9191%	\$9,191
Big Horn	12,798	1.3361%	\$13,361
Blaine	6,550	0.6838%	\$6,838
Broadwater	4,590	0.4792%	\$4,792
Carbon	9,721	1.0149%	\$10,149
Carter	1,268	0.1324%	\$1,324
Cascade	81,775	8.5373%	\$85,373
Chouteau	5,254	0.5485%	\$5,485
Custer	11,188	1.1680%	\$11,680
Daniels	1,650	0.1723%	\$1,723
Dawson	8,558	0.8934%	\$8,934
Deer Lodge	8,852	0.9241%	\$9,241
Fallon	2,696	0.2815%	\$2,815
Fergus	11,181	1.1673%	\$11,673
Flathead	86,844	9.0665%	\$90,665
Gallatin	87,359	9.1202%	\$91,202
Garfield	1,215	0.1268%	\$1,268
Glacier	13,382	1.3971%	\$13,971
Golden Valley	1,125	0.1174%	\$1,174
Granite	2,852	0.2977%	\$2,977
Hill	16,568	1.7297%	\$17,297
Jefferson	11,121	1.1610%	\$11,610
Judith Basin	2,048	0.2138%	\$2,138
Lake	28,438	2.9689%	\$29,689
Lewis And Clark	59,998	6.2637%	\$62,637
Liberty	1,796	0.1875%	\$1,875
Lincoln	18,885	1.9716%	\$19,716
Madison	7,426	0.7753%	\$7,753
McCone	1,724	0.1800%	\$1,800
Meagher	1,900	0.1984%	\$1,984
Mineral	3,895	0.4066%	\$4,066
Missoula	105,650	11.0298%	\$110,298
Musselshell	4,494	0.4692%	\$4,692
Park	16,099	1.6807%	\$16,807
Petroleum	438	0.0457%	\$457
Phillips	3,948	0.4122%	\$4,122
Pondera	5,943	0.6204%	\$6,204
Powder River	1,699	0.1774%	\$1,774
Powell	7,118	0.7431%	\$7,431
Prairie	1,044	0.1090%	\$1,090
Ravalli	40,396	4.2173%	\$42,173
Richland	9,182	0.9586%	\$9,586
Roosevelt	10,148	1.0594%	\$10,594
Rosebud	9,182	0.9586%	\$9,586
Sanders	11,033	1.1518%	\$11,518
Sheridan	3,373	0.3521%	\$3,521
Silver Bow	32,652	3.4088%	\$34,088
Stillwater	8,660	0.9041%	\$9,041
Sweet Grass	3,807	0.3974%	\$3,974
Teton	6,023	0.6288%	\$6,288
Toole	5,144	0.5370%	\$5,370
Treasure	651	0.0680%	\$680
Valley	6,899	0.7203%	\$7,203
Wheatland	1,983	0.2070%	\$2,070
Wibaux	898	0.0938%	\$938
Yellowstone	139,936	14.6092%	\$146,092
Totals	957,861	100.0000%	\$1,000,000

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Current Road Mileage Method			
County	2007 Road miles for gas tax	Each County Share as a percent of total road miles	Dollar distribution of \$1 million as a percent of road miles
Beaverhead	1,736	2.7180%	\$27,180
Big Horn	1,037	1.6238%	\$16,238
Blaine	1,557	2.4372%	\$24,372
Broadwater	759	1.1882%	\$11,882
Carbon	802	1.2560%	\$12,560
Carter	762	1.1927%	\$11,927
Cascade	1,519	2.3785%	\$23,785
Chouteau	2,124	3.3245%	\$33,245
Custer	809	1.2672%	\$12,672
Daniels	847	1.3264%	\$13,264
Dawson	1,135	1.7771%	\$17,771
Deer Lodge	441	0.6902%	\$6,902
Fallon	788	1.2341%	\$12,341
Fergus	1,663	2.6035%	\$26,035
Flathead	2,769	4.3344%	\$43,344
Gallatin	1,757	2.7498%	\$27,498
Garfield	1,021	1.5982%	\$15,982
Glacier	883	1.3828%	\$13,828
Golden Valley	503	0.7876%	\$7,876
Granite	791	1.2387%	\$12,387
Hill	1,838	2.8779%	\$28,779
Jefferson	875	1.3698%	\$13,698
Judith Basin	973	1.5231%	\$15,231
Lake	1,182	1.8498%	\$18,498
Lewis And Clark	1,448	2.2670%	\$22,670
Liberty	957	1.4989%	\$14,989
Lincoln	2,586	4.0485%	\$40,485
Madison	1,361	2.1308%	\$21,308
McCone	1,001	1.5677%	\$15,677
Meagher	602	0.9428%	\$9,428
Mineral	926	1.4489%	\$14,489
Missoula	1,941	3.0383%	\$30,383
Musselshell	665	1.0414%	\$10,414
Park	981	1.5363%	\$15,363
Petroleum	513	0.8031%	\$8,031
Phillips	1,532	2.3990%	\$23,990
Pondera	999	1.5642%	\$15,642
Powder River	819	1.2827%	\$12,827
Powell	720	1.1275%	\$11,275
Prairie	623	0.9746%	\$9,746
Ravalli	1,810	2.8341%	\$28,341
Richland	1,250	1.9573%	\$19,573
Roosevelt	1,223	1.9150%	\$19,150
Rosebud	1,171	1.8331%	\$18,331
Sanders	1,287	2.0151%	\$20,151
Sheridan	1,339	2.0970%	\$20,970
Silver Bow	420	0.6583%	\$6,583
Stillwater	963	1.5079%	\$15,079
Sweet Grass	574	0.8980%	\$8,980
Teton	1,472	2.3037%	\$23,037
Toole	1,172	1.8348%	\$18,348
Treasure	273	0.4273%	\$4,273
Valley	2,187	3.4236%	\$34,236
Wheatland	443	0.6929%	\$6,929
Wibaux	469	0.7342%	\$7,342
Yellowstone	1,575	2.4660%	\$24,660
Totals	63,877	100.0000%	\$1,000,000

Current Gas Tax Distribution Method					
County	M.C.A. 15-70-101 Allocation Funds	M.C.A. 7-14-102(2) Allocation Funds	County Total Allocation FY 2008	Each County Share as a percent of total gas tax payment	Dollar distribution of \$1 million as a percent of gas tax payment
Beaverhead	\$143,504	\$1,707	\$145,210	2.2757%	\$22,756.68
Big Horn	\$138,086	\$1,642	\$139,728	2.1898%	\$21,897.56
Blaine	\$124,815	\$1,484	\$126,299	1.9793%	\$19,793.04
Broadwater	\$55,456	\$660	\$56,116	0.8794%	\$8,794.21
Carbon	\$82,331	\$979	\$83,310	1.3056%	\$13,055.99
Carter	\$64,486	\$767	\$65,253	1.0226%	\$10,226.19
Cascade	\$211,740	\$2,518	\$214,259	3.3578%	\$33,577.60
Chouteau	\$136,518	\$1,624	\$138,141	2.1649%	\$21,648.84
Custer	\$82,937	\$986	\$83,923	1.3152%	\$13,152.01
Daniels	\$50,345	\$599	\$50,944	0.7984%	\$7,983.67
Dawson	\$88,063	\$1,047	\$89,110	1.3965%	\$13,964.91
Deer Lodge	\$41,628	\$495	\$42,123	0.6601%	\$6,601.35
Fallon	\$50,828	\$605	\$51,433	0.8060%	\$8,060.32
Fergus	\$130,912	\$1,557	\$132,469	2.0760%	\$20,759.91
Flathead	\$467,636	\$5,562	\$473,197	7.4157%	\$74,157.25
Gallatin	\$287,494	\$3,419	\$290,914	4.5591%	\$45,590.59
Garfield	\$85,840	\$1,021	\$86,861	1.3612%	\$13,612.48
Glacier	\$115,800	\$1,377	\$117,177	1.8363%	\$18,363.48
Golden Valley	\$33,705	\$401	\$34,106	0.5345%	\$5,344.97
Granite	\$56,100	\$667	\$56,768	0.8896%	\$8,896.35
Hill	\$137,628	\$1,637	\$139,265	2.1825%	\$21,824.94
Jefferson	\$99,571	\$1,184	\$100,755	1.5790%	\$15,789.91
Judith Basin	\$63,710	\$758	\$64,467	1.0103%	\$10,103.01
Lake	\$181,735	\$2,161	\$183,897	2.8819%	\$28,819.40
Lewis And Clark	\$259,742	\$3,089	\$262,831	4.1190%	\$41,189.70
Liberty	\$57,238	\$681	\$57,919	0.9077%	\$9,076.82
Lincoln	\$218,362	\$2,597	\$220,959	3.4628%	\$34,627.70
Madison	\$114,706	\$1,364	\$116,070	1.8190%	\$18,189.93
McCone	\$69,653	\$828	\$70,481	1.1045%	\$11,045.44
Meagher	\$50,305	\$598	\$50,904	0.7977%	\$7,977.37
Mineral	\$62,958	\$749	\$63,707	0.9984%	\$9,983.84
Missoula	\$318,645	\$3,790	\$322,435	5.0530%	\$50,530.49
Musselshell	\$56,881	\$677	\$57,558	0.9020%	\$9,020.18
Park	\$113,084	\$1,345	\$114,429	1.7933%	\$17,932.81
Petroleum	\$36,326	\$432	\$36,758	0.5761%	\$5,760.52
Phillips	\$116,529	\$1,386	\$117,915	1.8479%	\$18,479.10
Pondera	\$71,341	\$848	\$72,190	1.1313%	\$11,313.22
Powder River	\$68,367	\$813	\$69,180	1.0842%	\$10,841.51
Powell	\$70,365	\$837	\$71,202	1.1158%	\$11,158.40
Prairie	\$42,833	\$509	\$43,342	0.6792%	\$6,792.38
Ravalli	\$281,089	\$3,343	\$284,432	4.4575%	\$44,574.87
Richland	\$90,818	\$1,080	\$91,898	1.4402%	\$14,401.77
Roosevelt	\$102,370	\$1,218	\$103,588	1.6234%	\$16,233.80
Rosebud	\$119,159	\$1,417	\$120,577	1.8896%	\$18,896.18
Sanders	\$121,145	\$1,441	\$122,586	1.9211%	\$19,211.14
Sheridan	\$75,124	\$893	\$76,017	1.1913%	\$11,913.03
Silver Bow	\$40,256	\$479	\$40,734	0.6384%	\$6,383.71
Stillwater	\$92,547	\$1,101	\$93,648	1.4676%	\$14,676.07
Sweet Grass	\$50,225	\$597	\$50,823	0.7965%	\$7,964.70
Teton	\$98,444	\$1,171	\$99,615	1.5611%	\$15,611.21
Toole	\$69,981	\$832	\$70,813	1.1097%	\$11,097.49
Treasure	\$21,783	\$259	\$22,042	0.3454%	\$3,454.32
Valley	\$149,611	\$1,779	\$151,391	2.3725%	\$23,725.23
Wheatland	\$35,425	\$421	\$35,847	0.5618%	\$5,617.70
Wibaux	\$28,861	\$343	\$29,204	0.4577%	\$4,576.68
Yellowstone	\$270,957	\$3,223	\$274,179	4.2968%	\$42,968.07
Totals	\$6,306,000	\$75,000	\$6,381,000	100.0000%	\$1,000,000.00

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Entitlement Share	
County	Dollar distribution of \$1 million as a percent of the total
Beaverhead	\$9,512
Big Horn	\$1,059
Blaine	\$5,675
Broadwater	\$9,742
Carbon	\$12,784
Carter	\$3,975
Cascade	\$13,666
Chouteau	\$16,386
Custer	\$8,947
Daniels	\$6,952
Dawson	\$26,198
Deer Lodge	\$29,483
Fallon	\$7,545
Fergus	\$7,544
Flathead	\$86,180
Gallatin	\$54,631
Garfield	\$4,558
Glacier	\$12,728
Golden Valley	\$1,285
Granite	\$7,434
Hill	\$13,111
Jefferson	\$18,452
Judith Basin	\$7,501
Lake	\$21,251
Lewis And Clark	\$38,351
Liberty	\$7,675
Lincoln	\$18,773
Madison	\$16,038
McCone	\$6,696
Meagher	\$3,163
Mineral	\$7,724
Missoula	\$91,962
Musselshell	\$4,074
Park	\$14,743
Petroleum	\$1,284
Phillips	\$6,264
Pondera	\$10,138
Powder River	\$8,534
Powell	\$4,556
Prairie	\$3,807
Ravalli	\$31,254
Richland	\$10,459
Roosevelt	\$8,766
Rosebud	\$62,403
Sanders	\$24,758
Sheridan	\$11,594
Silver Bow	\$93,038
Stillwater	\$20,216
Sweet Grass	\$7,191
Teton	\$10,749
Toole	\$13,061
Treasure	\$2,549
Valley	\$4,642
Wheatland	\$3,530
Wibaux	\$6,800
Yellowstone	\$58,611
Totals	\$1,000,000

Population	
County	Dollar distribution of \$1 million as a percent of population
Beaverhead	\$9,191
Big Horn	\$13,361
Blaine	\$6,838
Broadwater	\$4,792
Carbon	\$10,149
Carter	\$1,324
Cascade	\$85,373
Chouteau	\$5,485
Custer	\$11,680
Daniels	\$1,723
Dawson	\$8,934
Deer Lodge	\$9,241
Fallon	\$2,815
Fergus	\$11,673
Flathead	\$90,665
Gallatin	\$91,202
Garfield	\$1,268
Glacier	\$13,971
Golden Valley	\$1,174
Granite	\$2,977
Hill	\$17,297
Jefferson	\$11,610
Judith Basin	\$2,138
Lake	\$29,689
Lewis And Clark	\$62,637
Liberty	\$1,875
Lincoln	\$19,716
Madison	\$7,753
McCone	\$1,800
Meagher	\$1,984
Mineral	\$4,066
Missoula	\$110,298
Musselshell	\$4,692
Park	\$16,807
Petroleum	\$457
Phillips	\$4,122
Pondera	\$6,204
Powder River	\$1,774
Powell	\$7,431
Prairie	\$1,090
Ravalli	\$42,173
Richland	\$9,586
Roosevelt	\$10,594
Rosebud	\$9,586
Sanders	\$11,518
Sheridan	\$3,521
Silver Bow	\$34,088
Stillwater	\$9,041
Sweet Grass	\$3,974
Teton	\$6,288
Toole	\$5,370
Treasure	\$680
Valley	\$7,203
Wheatland	\$2,070
Wibaux	\$938
Yellowstone	\$146,092
Totals	\$1,000,000

Land Area	
County	Dollar distribution of \$1 million as a percent of land area
Beaverhead	\$27,180
Big Horn	\$16,238
Blaine	\$24,372
Broadwater	\$11,882
Carbon	\$12,560
Carter	\$11,927
Cascade	\$23,785
Chouteau	\$33,245
Custer	\$12,672
Daniels	\$13,264
Dawson	\$17,771
Deer Lodge	\$6,902
Fallon	\$12,341
Fergus	\$26,035
Flathead	\$43,344
Gallatin	\$27,498
Garfield	\$15,982
Glacier	\$13,828
Golden Valley	\$7,876
Granite	\$12,387
Hill	\$28,779
Jefferson	\$13,698
Judith Basin	\$15,231
Lake	\$18,498
Lewis And Clark	\$22,670
Liberty	\$14,989
Lincoln	\$40,485
Madison	\$21,308
McCone	\$15,677
Meagher	\$9,428
Mineral	\$14,489
Missoula	\$30,383
Musselshell	\$10,414
Park	\$15,363
Petroleum	\$8,031
Phillips	\$23,990
Pondera	\$15,642
Powder River	\$12,827
Powell	\$11,275
Prairie	\$9,746
Ravalli	\$28,341
Richland	\$19,573
Roosevelt	\$19,150
Rosebud	\$18,331
Sanders	\$20,151
Sheridan	\$20,970
Silver Bow	\$6,583
Stillwater	\$15,079
Sweet Grass	\$8,980
Teton	\$23,037
Toole	\$18,348
Treasure	\$4,273
Valley	\$34,236
Wheatland	\$6,929
Wibaux	\$7,342
Yellowstone	\$24,660
Totals	\$1,000,000

Gas Tax	
County	Dollar distribution of \$1 million as a percent of gas tax payment
Beaverhead	\$22,756.68
Big Horn	\$21,897.56
Blaine	\$19,793.04
Broadwater	\$8,794.21
Carbon	\$13,055.99
Carter	\$10,226.19
Cascade	\$33,577.60
Chouteau	\$21,648.84
Custer	\$13,152.01
Daniels	\$7,983.67
Dawson	\$13,964.91
Deer Lodge	\$6,601.35
Fallon	\$8,060.32
Fergus	\$20,759.91
Flathead	\$74,157.25
Gallatin	\$45,590.59
Garfield	\$13,612.48
Glacier	\$18,363.48
Golden Valley	\$5,344.97
Granite	\$8,896.35
Hill	\$21,824.94
Jefferson	\$15,789.91
Judith Basin	\$10,103.01
Lake	\$28,819.40
Lewis And Clark	\$41,189.70
Liberty	\$9,076.82
Lincoln	\$34,627.70
Madison	\$18,189.93
McCone	\$11,045.44
Meagher	\$7,977.37
Mineral	\$9,983.84
Missoula	\$50,530.49
Musselshell	\$9,020.18
Park	\$17,932.81
Petroleum	\$5,760.52
Phillips	\$18,479.10
Pondera	\$11,313.22
Powder River	\$10,841.51
Powell	\$11,158.40
Prairie	\$6,792.38
Ravalli	\$44,574.87
Richland	\$14,401.77
Roosevelt	\$16,233.80
Rosebud	\$18,896.18
Sanders	\$19,211.14
Sheridan	\$11,913.03
Silver Bow	\$6,383.71
Stillwater	\$14,676.07
Sweet Grass	\$7,964.70
Teton	\$15,611.21
Toole	\$11,097.49
Treasure	\$3,454.32
Valley	\$23,725.23
Wheatland	\$5,617.70
Wibaux	\$4,576.68
Yellowstone	\$42,968.07
Totals	\$1,000,000.00

Example A - using \$100K base amount plus Gas Tax Factor

County	\$100,000 per county	\$4.4 million using Gas Tax Formula	Total distribution to each county
Beaverhead	\$100,000	\$100,129	\$200,129.37
Big Horn	\$100,000	\$96,349	\$196,349.24
Blaine	\$100,000	\$87,089	\$187,089.38
Broadwater	\$100,000	\$38,695	\$138,694.51
Carbon	\$100,000	\$57,446	\$157,446.34
Carter	\$100,000	\$44,995	\$144,995.24
Cascade	\$100,000	\$147,741	\$247,741.42
Chouteau	\$100,000	\$95,255	\$195,254.91
Custer	\$100,000	\$57,869	\$157,868.84
Daniels	\$100,000	\$35,128	\$135,128.13
Dawson	\$100,000	\$61,446	\$161,445.59
Deer Lodge	\$100,000	\$29,046	\$129,045.93
Fallon	\$100,000	\$35,465	\$135,465.39
Fergus	\$100,000	\$91,344	\$191,343.59
Flathead	\$100,000	\$326,292	\$426,291.90
Gallatin	\$100,000	\$200,599	\$300,598.59
Garfield	\$100,000	\$59,895	\$159,894.93
Glacier	\$100,000	\$80,799	\$180,799.32
Golden Valley	\$100,000	\$23,518	\$123,517.86
Granite	\$100,000	\$39,144	\$139,143.93
Hill	\$100,000	\$96,030	\$196,029.74
Jefferson	\$100,000	\$69,476	\$169,475.60
Judith Basin	\$100,000	\$44,453	\$144,453.23
Lake	\$100,000	\$126,805	\$226,805.38
Lewis And Clark	\$100,000	\$181,235	\$281,234.68
Liberty	\$100,000	\$39,938	\$139,938.03
Lincoln	\$100,000	\$152,362	\$252,361.87
Madison	\$100,000	\$80,036	\$180,035.70
McCone	\$100,000	\$48,600	\$148,599.94
Meagher	\$100,000	\$35,100	\$135,100.41
Mineral	\$100,000	\$43,929	\$143,928.88
Missoula	\$100,000	\$222,334	\$322,334.17
Musselshell	\$100,000	\$39,689	\$139,688.81
Park	\$100,000	\$78,904	\$178,904.38
Petroleum	\$100,000	\$25,346	\$125,346.28
Phillips	\$100,000	\$81,308	\$181,308.02
Pondera	\$100,000	\$49,778	\$149,778.18
Powder River	\$100,000	\$47,703	\$147,702.64
Powell	\$100,000	\$49,097	\$149,096.97
Prairie	\$100,000	\$29,886	\$129,886.47
Ravalli	\$100,000	\$196,129	\$296,129.41
Richland	\$100,000	\$63,368	\$163,367.77
Roosevelt	\$100,000	\$71,429	\$171,428.70
Rosebud	\$100,000	\$83,143	\$183,143.19
Sanders	\$100,000	\$84,529	\$184,529.00
Sheridan	\$100,000	\$52,417	\$152,417.32
Silver Bow	\$100,000	\$28,088	\$128,088.34
Stillwater	\$100,000	\$64,575	\$164,574.70
Sweet Grass	\$100,000	\$35,045	\$135,044.68
Teton	\$100,000	\$68,689	\$168,689.34
Toole	\$100,000	\$48,829	\$148,828.94
Treasure	\$100,000	\$15,199	\$115,198.99
Valley	\$100,000	\$104,391	\$204,391.02
Wheatland	\$100,000	\$24,718	\$124,717.89
Wibaux	\$100,000	\$20,137	\$120,137.40
Yellowstone	\$100,000	\$189,059	\$289,059.50
Totals	\$5,800,000	\$4,400,000	\$10,000,000

Example B - using 450K base amount plus Gas Tax Factor

County	\$50,000 per county	\$7.2 million using Gas Tax Formula	Total distribution to each county
Beaverhead	\$50,000	\$163,848	\$213,848.06
Big Horn	\$50,000	\$157,662	\$207,662.40
Blaine	\$50,000	\$142,510	\$192,509.89
Broadwater	\$50,000	\$63,318	\$113,318.29
Carbon	\$50,000	\$94,003	\$144,003.10
Carter	\$50,000	\$73,629	\$123,628.57
Cascade	\$50,000	\$241,759	\$291,758.68
Chouteau	\$50,000	\$155,872	\$205,871.68
Custer	\$50,000	\$94,694	\$144,694.47
Daniels	\$50,000	\$57,482	\$107,482.39
Dawson	\$50,000	\$100,547	\$150,547.33
Deer Lodge	\$50,000	\$47,530	\$97,529.71
Fallon	\$50,000	\$58,034	\$108,034.28
Fergus	\$50,000	\$149,471	\$199,471.33
Flathead	\$50,000	\$533,932	\$583,932.20
Gallatin	\$50,000	\$328,252	\$378,252.24
Garfield	\$50,000	\$98,010	\$148,009.88
Glacier	\$50,000	\$132,217	\$182,217.07
Golden Valley	\$50,000	\$38,484	\$88,483.77
Granite	\$50,000	\$64,054	\$114,053.71
Hill	\$50,000	\$157,140	\$207,139.57
Jefferson	\$50,000	\$113,687	\$163,687.35
Judith Basin	\$50,000	\$72,742	\$122,741.65
Lake	\$50,000	\$207,500	\$257,499.71
Lewis And Clark	\$50,000	\$296,566	\$346,565.84
Liberty	\$50,000	\$65,353	\$115,353.14
Lincoln	\$50,000	\$249,319	\$299,319.42
Madison	\$50,000	\$130,968	\$180,967.50
McCone	\$50,000	\$79,527	\$129,527.17
Meagher	\$50,000	\$57,437	\$107,437.03
Mineral	\$50,000	\$71,884	\$121,883.82
Missoula	\$50,000	\$363,820	\$413,819.55
Musselshell	\$50,000	\$64,945	\$114,945.33
Park	\$50,000	\$129,116	\$179,116.25
Petroleum	\$50,000	\$41,476	\$91,475.74
Phillips	\$50,000	\$133,049	\$183,049.49
Pondera	\$50,000	\$81,455	\$131,455.20
Powder River	\$50,000	\$78,059	\$128,058.87
Powell	\$50,000	\$80,341	\$130,340.50
Prairie	\$50,000	\$48,905	\$98,905.12
Ravalli	\$50,000	\$320,939	\$370,939.03
Richland	\$50,000	\$103,693	\$153,692.71
Roosevelt	\$50,000	\$116,883	\$166,883.33
Rosebud	\$50,000	\$136,052	\$186,052.49
Sanders	\$50,000	\$138,320	\$188,320.19
Sheridan	\$50,000	\$85,774	\$135,773.80
Silver Bow	\$50,000	\$45,963	\$95,962.73
Stillwater	\$50,000	\$105,668	\$155,667.68
Sweet Grass	\$50,000	\$57,346	\$107,345.84
Teton	\$50,000	\$112,401	\$162,400.74
Toole	\$50,000	\$79,902	\$129,901.91
Treasure	\$50,000	\$24,871	\$74,871.08
Valley	\$50,000	\$170,822	\$220,821.68
Wheatland	\$50,000	\$40,447	\$90,447.46
Wibaux	\$50,000	\$32,952	\$82,952.10
Yellowstone	\$50,000	\$309,370	\$359,370.09
Totals	\$2,800,000	\$7,200,000	\$10,000,000

Exhibit: 11
Date: 3/12/09
HB 645

HB 645 example language using current Gas Tax formula

The amount of \$ _____ is appropriated, and must be allocated to the counties, incorporated cities and towns, and consolidated city-county governments in Montana to be used for the following purposes: **(Insert allowable purposes)**

(1) The amount of \$ _____ must be divided among the various **counties** in the following manner:

(a) 40% in the ratio that the rural road mileage in each county, exclusive of the national highway system and the primary system, bears to the total rural road mileage in the state, exclusive of the national highway system and the primary system;

(b) 40% in the ratio that the rural population in each county outside incorporated cities and towns bears to the total rural population in the state outside incorporated cities and towns;

(c) 20% in the ratio that the land area of each county bears to the total land area of the state.

(2) The amount of \$ _____ must be divided among the **incorporated cities and towns** in the following manner:

(a) 50% of the sum in the ratio that the population within the corporate limits of the city or town bears to the total population within corporate limits of all the cities and towns in Montana;

(b) 50% in the ratio that the city or town street and alley mileage, exclusive of the national highway system and the primary system, within corporate limits bears to the total street and alley mileage, exclusive of the national highway system and primary system, within the corporate limits of all cities and towns in Montana.

Note: A decision would need to be made whether the two consolidated governments, Butte-Silver Bow and Anaconda-Deer Lodge would receive a county distribution or a city distribution, or both. They do receive both under the current gas tax distribution. The language below is how current law makes that distribution for the gas tax formula.

(3) (a) *For the purpose of allocating the funds in subsections (2)(b) and (2)(c) to a consolidated city-county government, each entity must be considered to have separate city and county boundaries. The city limit boundaries are the last official city limit boundaries for the former city unless revised boundaries based on the location of the urban area have been approved by the department of transportation and must be used to determine city and county populations and road mileages in the following manner:*

(i) *Percentage factors must be calculated to determine separate populations for the city and rural county by using the last official decennial federal census population figures that recognized an incorporated city and the rural county. The factors must be based on the ratio of the city to the rural county population, considering the total population in the county minus the population of any other incorporated city or town in the county.*

(ii) *The city and county populations must be calculated by multiplying the total county population, as determined by the latest official decennial census or the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census, minus the population of any other incorporated city or town in that county, by the factors established in subsection (3)(a)(i).*

(b) *The amount allocated by this method for the city and the county must be combined, and single monthly payments must be made to the consolidated city-county government.*

Current Gas Tax Distribution

Counties, Cities and Consolidated Local Governments

15-70-101. Disposition of funds. (1) All taxes collected under this chapter must, in accordance with the provisions of 17-2-124, be placed in a highway revenue account in the state special revenue fund to the credit of the department of transportation. All interest and income earned on the account must be deposited to the credit of the account and any unexpended balance in the account must remain in the account. Those funds allocated to cities, towns, counties, and consolidated city-county governments in this section must, in accordance with the provisions of 17-2-124, be paid by the department of transportation from the state special revenue fund to the cities, towns, counties, and consolidated city-county governments.

(2) **The amount of \$16,766,000** of the taxes collected under this chapter is statutorily appropriated, as provided in 17-7-502, to the department of transportation and must be allocated each fiscal year on a monthly basis to the counties, incorporated cities and towns, and consolidated city-county governments in Montana for construction, reconstruction, maintenance, and repair of rural roads and city or town streets and alleys, as provided in subsections (2)(a) through (2)(c):

(a) The amount of \$100,000 must be designated for the purposes and functions of the Montana local technical assistance transportation program in Bozeman.

(b) **The amount of \$6,306,000 must be divided among the various counties in the following manner:**

(i) 40% in the ratio that the rural road mileage in each county, exclusive of the national highway system and the primary system, bears to the total rural road mileage in the state, exclusive of the national highway system and the primary system;

(ii) 40% in the ratio that the rural population in each county outside incorporated cities and towns bears to the total rural population in the state outside incorporated cities and towns;

(iii) 20% in the ratio that the land area of each county bears to the total land area of the state.

(c) **The amount of \$10,360,000 must be divided among the incorporated cities and towns in the following manner:**

(i) 50% of the sum in the ratio that the population within the corporate limits of the city or town bears to the total population within corporate limits of all the cities and towns in Montana;

(ii) 50% in the ratio that the city or town street and alley mileage, exclusive of the national highway system and the primary system, within corporate limits bears to the total street and alley mileage, exclusive of the national highway system and primary system, within the corporate limits of all cities and towns in Montana.

(3) (a) For the purpose of allocating the funds in subsections (2)(b) and (2)(c) to a consolidated city-county government, each entity must be considered to have separate city and county boundaries. The city limit boundaries are the last official city limit boundaries for the former city unless revised boundaries based on the location of the urban area have been approved by the department of transportation and must be used to determine city and county populations and road mileages in the following manner:

(i) Percentage factors must be calculated to determine separate populations for the city and rural county by using the last official decennial federal census population figures that recognized an incorporated city and the rural county. The factors must be based on the ratio of the city to the rural county population, considering the total population in the county minus the population of any other incorporated city or town in the county.

(ii) ~~The city and county~~ populations must be calculated by multiplying the total county population, as determined by the latest official decennial census or the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census, minus the

population of any other incorporated city or town in that county, by the factors established in subsection (3)(a)(i).

(b) The amount allocated by this method for the city and the county must be combined, and single monthly payments must be made to the consolidated city-county government.

(4) All funds allocated by this section to counties, cities, towns, and consolidated city-county governments must be used for the construction, reconstruction, maintenance, and repair of rural roads or city or town streets and alleys or for the share that the city, town, county, or consolidated city-county government might otherwise expend for proportionate matching of federal funds allocated for the construction of roads or streets that are part of the primary or secondary highway system or urban extensions to those systems. The governing body of a town or third-class city, as defined in 7-1-4111, may each year expend no more than 25% of the funds allocated to that town or third-class city for the purchase of capital equipment and supplies to be used for the maintenance and repair of town or third-class city streets and alleys. The governing body of a town or third-class city may place all or a part of the 25% in a restricted asset account within the gas tax apportionment fund that is carried forward until there is a need for the expenditure.

(5) All funds allocated by this section to counties, cities, towns, and consolidated city-county governments must be disbursed to the lowest responsible bidder according to applicable bidding procedures followed in all cases in which the contract for construction, reconstruction, maintenance, or repair is in excess of \$25,000.

(6) For the purposes of this section in which distribution of funds is made on a basis related to population, the population must be determined annually for counties and biennially for cities according to the latest official decennial census or the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(7) For the purposes of this section in which determination of mileage is necessary for distribution of funds, it is the responsibility of the cities, towns, counties, and consolidated city-county governments to furnish to the department of transportation a yearly certified statement indicating the total mileage within their respective areas applicable to this chapter. All mileage submitted is subject to review and approval by the department of transportation.

(8) Except by a town or third-class city as provided in subsection (4), the funds authorized by this section may not be used for the purchase of capital equipment.

(9) Funds authorized by this section must be used for construction and maintenance programs.

History:

2001 Amendment: Chapter 158 in (2)(a) increased amount from \$54,000 to \$100,000; in (2)(b) decreased amount from \$6,323,000 to \$6,306,000; in (2)(c) decreased amount from \$10,389,000 to \$10,360,000; and made minor changes in style. Amendment effective July 1, 2001.

1993 Amendment: Chapter 605 in (1), at beginning, substituted "\$16,766,000" for "\$14,000,000" and near beginning, after "justice's court", deleted "is statutorily appropriated, as provided in 17-7-502, to the department of transportation and"; and in (1)(c), at beginning, substituted "\$10,389,000" for "\$7,623,000". Amendment effective July 1, 1993.

1987 Amendments: Chapter 292, in (1), at end of introductory clause, changed reference to reflect inserted material; inserted (1)(a) relating to rural technical assistance transportation program; in (1)(b) substituted "\$6,323,000" for "\$6,350,000"; and in (1)(c) substituted "\$7,623,000" for "\$7,650,000".

1983 Amendments: Chapter 624, in introductory portion, inserted "special" before "revenue fund"; in (1) at beginning changed \$6,500,000 to \$14,000,000; in (1)(a) at beginning changed \$2,950,000 to \$6,350,000; in (1)(b) changed \$3,550,000 to \$7,650,000; and inserted (8) relating to use of funds for construction and maintenance programs.

15-70-102. Allocation of funds -- participation in railroad grade crossing protection. (1) The amount determined necessary may be allocated from the state special revenue fund, highway revenue account, for each fiscal year for expenditures and commitments made for participation by the department of transportation with railroads in construction of railroad grade crossing protection on any public highway or road, except those designated on the interstate, primary, or urban systems within the state. The department of transportation shall select those grade crossings in the state that, in the opinion of the department, are most in need of additional crossing protection and shall finance the cost of the improvements solely from this fund.

(2) Signal protection provided under this section is limited to electric or automatic flashing lights or gates, depending on the amount and nature of the hazards present at the crossing, and participation in construction of the signals must be on the same basis and under the same standards as are applicable and used in connection with protection of grade crossings on federal-aid roads within the state. The account may not be used for protection of grade crossings on the secondary system where the protection is considered necessary and when the cost is financed in part with federal-aid highway funds.

(3) In addition to the funds allocated, counties and cities may authorize the use of funds available to counties and cities under the provisions of 15-70-101 for participation in the installation in grade crossing protection within the county or city.

#4

**TERI HICE, PROJECT MANAGER
DEADMAN'S BASIN WATER USERS' ASSOCIATION**

125 Autumn Road
Roundup, MT 59072
Phone (406) 323-3533
Fax (406) 323-3533
kthice@midrivers.com

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EXHIBIT 12
DATE 3/12/09
NO 645

March 12, 2009

To Whom It May Concern:

The Deadman's Basin Reservoir along with its Inlet and Outlet Canals is a state owned project that is overseen by the Montana Department of Natural Resources and Conservation (DNRC) and maintained and operated by the Deadman's Basin Water Users' Association (DBWUA).

There are more than 150 water users that make up the DBWUA and the Delphia-Melstone Canal Users (a privately owned large canal system within the DBWUA). There are 5 counties that are effected by Deadman's Basin including Wheatland, Golden Valley, Musselshell, Garfield, and Petrolia. There are also the communities of Ryegate, Lavina, Roundup, Musselshell, and Melstone that are largely effected by Deadman's Basin and the Musselshell River.

The DBWUA Board of Directors and shareholders have been working diligently throughout the past 15 years to update and rehabilitate an over 50 year old system. More than \$3,000,000.00 has been spent on project rehabilitation including structure replacement, canal rebuilding, and canal lining for water quality and quantity improvement. Funding has come from the water users as individuals as operation and maintainence expense, reserve funds, and loans whenever necessary. Funding has also been obtained from NRCS EQIP, RRGL grants and loans, and the DNRC and State of Montana as project owners.

This very proactive group of ranchers would like to continue with the rehabilitation and improvements through the economic stimulus package. The water users already have \$400,000.00 in construction loans and will be faced with an additional \$400,000.00 in a new loan to improve the safety factor of the dam owned by the State of Montana. The Deadman's Basin Reservoir not only benefits the irrigators, but also recreationists and communities.

The Deadman's Basin Water Users' Association submitted a list of \$1,156,850.00 in shovel ready Stimulus Funding Projects through the Lower Musselshell Conservation District on January 5, 2009. These projects, in order of priority, are as follows:

1. Deadman's Basin Terminal Outlet Replacement Project

- a. DBWUA is requesting \$400,000.00 from the stimulus package to offset the \$400,000.00 RRGL loan.
- b. The purpose of the project is to increase the safety factor of the dam, install a toe drain, and extend the outlet structure.
- c. This project is truly shovel ready as it has been designed by WWC Engineering and is ready to go to bids sometime within the next 3 to 6 months as is scheduled for completion by December 31, 2009.
- d. Total Estimated Project Cost is \$1,000,000.00
 - i. The DNRC has applied for funding through the Renewable Resources Grant and Loan Program (RRGL).
 1. A grant for \$100,000.00 has been applied through the RRGL and is detailed on lines 28 & 29 of House Bill No. 6.
 2. A loan for \$400,000.00 has been applied through the RRGL along with the \$100,000 grant.
 3. Funding of \$500,000.00 from the water storage account has been earmarked for this project and is in House Bill No. 5.

2. Rip Rap placement on the Barber Canal

- a. DBWUA is requesting \$20,000.00 from the stimulus package.
- b. The purpose of the project is to reshape 4000 linear feet of the Barber Canal, place geotextile fabric, and place 900 cubic yards of rip rap rock to control erosion. The rip rap has already been mined and is located on site.
- c. No survey or design is required and the rock is ready to be placed.
- d. Total estimated project cost is \$40,000.00
- e. DBWUA has already paid \$20,000.00 for the rock to be mined and moved to the placement sites.

3. Rehabilitate and Line 2000 linear feet of the Inlet Canal

- a. DBWUA is requesting \$297,000.00 from the stimulus package.
- b. The purpose of the project is to completely reshape, rehabilitate, and line with a 45 mil EPDM canal liner for water quantity and quality savings. This new lining segment will

connect with 1800 linear feet of canal that was rehabilitated and lined in the fall of 2008.

- c. The initial survey has been completed in this reach of canal and construction could begin as early as September 1, 2009 with a completion date of December 31, 2009.
 - d. Total estimated project cost is \$297,000.00.
 - e. No funding has been established for this project.
4. Rehabilitate and Line leaking dam on the Inlet Canal
- a. DBWUA is requesting **\$144,500.00** from the stimulus package.
 - b. The purpose of the project is to build a new canal berm that would create a left hand bank, replace a failed culvert in the dam, and line 500 feet of the dam.
 - c. The initial survey has been completed in this reach of canal and construction could begin as early as September 1, 2009 with a completion date of December 31, 2009.
 - d. Total estimated project cost is \$144,500.00.
 - e. No funding has been established for this project.
5. Rehabilitate 2000 linear feet of the Inlet Canal
- a. DBWUA is requesting **\$75,000.00** from the stimulus package.
 - b. The purpose of the project is to rehashape and rehabilitate 2000 linear feet of canal bank, add freeboard, and gravel the top of the canal bank for O&M access.
 - c. Construction could begin on this segment of canal in April of 2009 and would be completed by December 31, 2009.
 - d. Total estimated project cost is \$75,000.00.
 - e. No funding has been established for this project.
6. Musselshell Cooperative Effort – Measuring Devices along the Basin
- a. DBWUA is requesting **\$107,350.00** from the stimulus package.
 - b. The purpose of the project is to install 7 measuring devices on the main State Owned canals in order to provide accurate and consistent measurement along the Musselshell River. This would benefit DBWUA, the Upper Musselshell Water Users Association, and the Delphia Melstone Canal Users Association.
 - c. The measuring devices could be installed at any time.
 - d. Total estimated project cost is \$107,350.00.
 - e. No funding has been established for this project.

7. Musselshell Cooperative Effort – Headgate Installation

- a. DBWUA is requesting \$68,000.00 from the stimulus package.
- b. The purpose of the project is to install 2 new radial arm gates at the Deadman's Basin Inlet Canal diversion structure to stop water from leaking into the Inlet Canal, thus improving in-stream flows.
- c. The headgates would be installed during low flows in the Musselshell River, likely in late August or early September of 2009.
- d. Total estimated project cost is \$80,000.00.
- e. DBWUA would contribute the approximately \$12,000 needed to remove the existing head gates.

8. Careless Canal Lining

- a. DBWUA is requesting \$45,000.00 from the stimulus package.
- b. The purpose of the project is to line 500 linear feet of the Careless Canal to improve water quality and water quantity.
- c. The lining could be installed prior to May 1, 2009 or after September 30, 2009 and would be completed by December 31, 2009.
- d. Total estimated project cost is \$45,000.00.
- e. No funding has been established for this project.

If you have any questions, or would like to discuss any of these projects or details, please feel free to contact me at (406) 320-1675, 323-3407, or 323-3533. Thank you for your time and continued support.

Sincerely,

Teri Hice, Project Manager

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EXHIBIT 13
DATE 3/12/09
PAGE 645

**Powell County Funding Proposal For the
Economic Recovery Act of 2008**

Introduction: Powell County, a small county in terms of population (7,000 people) but huge in terms of area (1.5 million acres), has a large infrastructure in critical need of improvements.

The county has 62 bridges. Through efforts to secure grants, and the willingness of our citizens to pass a 10 year mill levy (5 mills per year), improvements have been made on 15 of these bridges. However, bringing the remainder of the deficient bridges up to standard is beyond the financial capability of the county.

We recently completed a road Evaluation document covering 305 miles of our county roads. This document is the first step in developing a Capital Improvement Plan for county roads. Few if any of our roads meet our recently adopted Powell County Road Standards Document. The estimated cost of bringing our roads up to standard is about \$12.6 million.

Beyond bridges and roads, the county has a real need to upgrade its structures and add some amenities for its residents. The upgrading should start with a Capital Improvement Plan (CIP) which would focus on safety and energy efficiency measures. The estimated cost of such a CIP and an energy efficiency upgrade to the county courthouse is \$200,000.

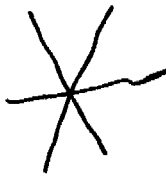
In terms of amenities the county needs \$1,500,000 to complete the Deer Lodge River Trail system. The completion of this project would be beneficial to the tourism segment of our economy and provide health benefit opportunities our citizens.

Following are specific project listings in support of the above general summaries.

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Bridges:

- **Main Street Bridge in Deer Lodge - \$700,000.** This is our most critical need. The estimated cost of the bridge is \$1,400,000. The county has \$500,000 to contribute and MDT is prepared to provide at least \$200,000. If we are not able to go to contract on this bridge in 2009 we will forfeit the \$700,000 currently available. While the bridge is structurally adequate its flood capacity is inadequate and therefore negates much of the flood control work that has been accomplished on Cottonwood Creek.
- **Second Street Bridge in Deer Lodge - \$400,000.** The Second Street Bridge is almost as critical to the Cottonwood Creek project as the Main Street Bridge. It is the primary detour route for traffic coming to and going from Deer Lodge. No funds are available though grant funds are being applied for.
- **Dempsey and Racetrack Bridges - \$700,000.** Both these bridges are on school bus routes and are important to the movement of agricultural products and machinery.
- **Rock Creek Lake Bridge - \$500,000.** This bridge provides access for recreationists to over 100,000 acres of National Forest Roadless lands. It is also the only access to 8 summer homes/cabins.
- **Alley Bridges in Deer Lodge- \$900,000.** When we undertook the Cottonwood Creek Flood Control Project we removed three alley bridges which were constrictions to the creek channel. We did not want to remove these bridges but our available dollars did not permit us to do otherwise. The loss of these alley bridges has complicated fire suppression and emergency responses access. Additionally, the removal has caused significant problems for the residents of Deer Lodge. Replacing these alley bridges is a priority for the county, should funds become available.



Roads:

Our Road Evaluation Report identified the following improvement actions and the dollar needs for each action. Each road is shown on the attached spreadsheets along with its needed work and estimated cost. Our priorities for work are as follows.

- Reshaping and Graveling (GR) - **\$1,393,007** – Involves grading out ruts and potholes and applying 2-3" of gravel.
- Reconstruction and Graveling (RCG) - **\$4,047,397** – Involves reconstruction of the sub-grade, construction of new ditches and applying 6" of gravel.
- Grading, Reconstruction and Graveling (GR/RCG) - **\$3,802,066** – See above definitions. The two actions are applied to different sections of the same road.
- Blading and Drainage improvements (B) - **\$389,114** – Involves grading out ruts and potholes and compacting the road surface.
- Blading, Reconstruction and Graveling (B/RCG) - **\$2,970,458** – See above definitions. The two actions are applied to different sections of the same road.

only
\$ 400,000

The total need of **\$12,602,042** is quite high. The Commissioners have not yet prioritized the various roads so this dollar amount represents a maximum need.

The Road Evaluation Report predicts that the county needs an average of \$1,600,000 per year to maintain its roads. Currently we have available, from all sources, an average of \$600,000. These funds have been intentionally spent on roads in maintenance levels A,B,C and D. The net result is a maintenance backlog of \$5,339,920 for Maintenance Level Z roads.

The backlog is building each year that we face inadequate funding. The consequences of this backlog are economic (higher cost of transporting agricultural products/goods to market), social (inconvenience and lack of adequate service to our residents and other people) and environmental (contributing more and more sediment to our streams).

Structures and Amenities:

- **Energy efficiency upgrade for the County Courthouse.** We currently spend up to \$6,000 per month to heat the County Courthouse. The estimated cost of replacing the old leaky windows is \$150,000. In undertaking this project we also need to develop a Capital Improvement for all county structures. Total cost of the energy upgrade and the CIP is estimated to be **\$200,000.**
- **Deer Lodge River Trail.** Our plan is to construct a trail system throughout Deer Lodge. The system would link the Main Street Historic District with our two principle tourist attractions – Grant Kohrs Ranch and The Montana Territorial Prison Museum. In addition to the potential economic benefits the system would provide health benefit opportunities for city and county citizens. The system is designed and we are now investing over \$800,000 in constructing portions of it. To complete the system we need an additional **\$1,500,000.**

- *\$500,000 Roundhouse Cleanup*



JESSB
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The University of Montana
Projects identified by energy audits

EXHIBIT 14
DATE 3/12/09
NO 645

MISSOULA

Engineer - CTA

State Buildings

	Project Costs			Annual Energy \$ Savings
	ECM & ECM/Def Maint	Def Maint	Total	
Anderson	\$ 64,000	\$ -	\$ 64,000	\$ 22,000
Art Annex	\$ 43,000	\$ 136,000	\$ 179,000	\$ 9,000
BioResearch	\$ 304,000	\$ 8,000	\$ 312,000	\$ 38,000
Education	\$ 480,000	\$ -	\$ 480,000	\$ 24,000
Fine Arts	\$ 261,000	\$ 791,000	\$ 1,052,000	\$ 24,000
Honors College	\$ 23,000	\$ -	\$ 23,000	\$ 4,000
Liberal Arts	\$ 338,000	\$ 4,003,000	\$ 4,341,000	\$ 30,000
Music	\$ 195,000	\$ 756,000	\$ 951,000	\$ 29,000
PARTV	\$ 79,000	\$ 6,613,000	\$ 6,692,000	\$ 29,000
Skaggs	\$ 602,000	\$ 697,000	\$ 1,299,000	\$ 52,000
Social Science	\$ 88,000	\$ 1,291,000	\$ 1,379,000	\$ 17,000
Rankin	\$ 30,000	\$ 218,000	\$ 248,000	\$ 4,000
Lighting Upgrades	\$ 979,000	\$ -	\$ 979,000	\$ 55,000
Totals	\$ 3,486,000	\$ 14,513,000	\$ 17,999,000	\$ 337,000

Auxiliary Buildings

Grizzly Pool	\$ 651,000	\$ 158,000	\$ 809,000	\$ 53,000
Student Rec Center	\$ 243,000	\$ -	\$ 243,000	\$ 48,000
Todd Building	\$ 46,000	\$ 294,000	\$ 340,000	\$ 16,000
University Center	\$ 489,000	\$ 14,000	\$ 503,000	\$ 41,000
Totals	\$ 6,614,000 1,429,000	\$ 466,000	\$ 1,895,000	\$ 158,000

MT TECH - BUTTE

Engineer - ACE

Engineering Lab Classroom	\$ 290,000	\$ 290,000	\$ 9,659
Science and Engineering	\$ 200,000	\$ 200,000	\$ 9,512
HPER	\$ 210,000	\$ 210,000	\$ 18,742
Auditorium	\$ 60,000	\$ 60,000	\$ 4,000
Totals	\$ 760,000	\$ 760,000	\$ 41,913

WESTERN - DILLON

Engineer - Three Rivers

Library	\$ 285,000	\$ 285,000	\$ 19,000
SUB	\$ 300,000	\$ 300,000	\$ 20,000
Totals	\$ 585,000	\$ 585,000	\$ 39,000

250



EXHIBIT 15
DATE 3/12/09
NO 645

ENGINEERS ESTIMATE

City of Cut Bank		PROJECT Railroad Street Reconst.		DATE 6/13/2008	
Item No	DESCRIPTION	UNIT	QUANTITY	PRICE	AMOUNT
	RAILROAD STREET				
	Street Excavation*	CY	14,519	\$10.00	\$145,190.00
	3/4" Minus Crushed Top Course (6" depth)	CY	3,556	\$26.76	\$95,158.56
	1 1/2" Minus Crushed Base Course (12" depth)	CY	7,112	\$17.32	\$123,179.84
	Dust Palliative	TON	35	\$128.11	\$4,483.85
	4" Thickness Asphalt Pavement, GR D	TON	4,569	\$69.00	\$315,261.00
	Tack SS-1	GAL	534	\$1.62	\$865.08
	Adjust Valve Boxes	EA	35	\$308.56	\$10,799.60
	Striping	GAL	83	\$62.43	\$5,181.69
	Coordinate With Gas Company	LS	1	\$5,000.00	\$5,000.00
	Erosion Control	LS	1	\$17,500.00	\$17,500.00
	Traffic Control	LS	1	\$24,000.00	\$24,000.00
	Connect to Highway 2	LS	1	\$5,000.00	\$5,000.00
	Connect to Central Avenue	LS	1	\$5,000.00	\$5,000.00
	Construction Staking	LS	1	\$9,000.00	\$9,000.00
	Misc. Storm Drain Improvements	LS	1	\$10,000.00	\$10,000.00
	SUB TOTAL RAILROAD STREET				\$775,619.62
	Railroad Street Concrete Valley Gutters	SY	3,556	\$66.55	\$236,651.80
	TOTAL RAILROAD STREET				\$1,012,271.42
	SIDE STREETS				
	Street Excavation*	CY	44	\$10.00	\$440.00
	3" Thickness Asphalt Pavement, GR D	TON	19	\$67.71	\$1,286.49
	3/4" Minus Crushed Base Course (8" depth)	CY	26	\$26.76	\$695.76
	TOTAL SIDE STREETS				\$2,422.25
* Cost assumes County haul off					
PROJECT SUB TOTAL					\$1,014,694
Mobilization 5%					\$50,735
2 Year Inflation at 4% AGR					\$86,938.95
PROJECT TOTAL					\$1,152,367.31
18 % Engineering & Construction Admin					\$207,426.12
15 % Contingency					\$172,855
GRAND TOTAL					\$1,532,649

1227678

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ROCKY BOY'S / NORTH CENTRAL MONTANA REGIONAL WATER SYSTEM PROJECT

*Bringing Safe, Sustainable Water to
more than 30,000 Montana Residents*

Executive Summary

March 2009

Project Goal

To ensure a safe and sustainable water supply for residents of North Central Montana through a Tribal / Authority partnership.

SYSTEM CHALLENGES

- Water Quantity
- Water Quality
- Extensive Regulatory Violations (Boil Orders)
- Possible Sunk Infrastructure
- Tribal Water System Shutdowns
- Industrial/Economic Impacts
- Extremely High Water Rates

MAKING A DIFFERENCE ACCOMPLISHMENTS

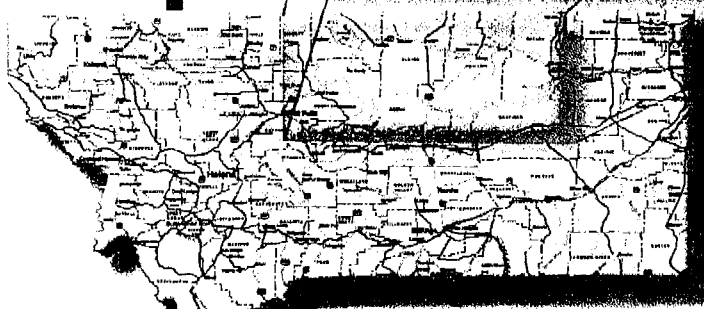
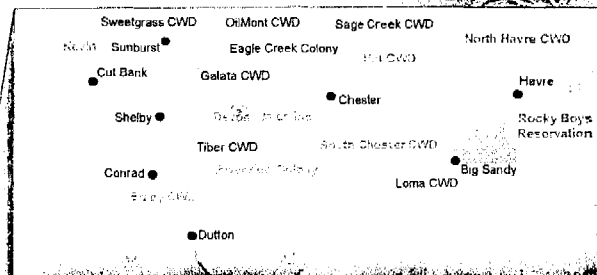
- Lake Elwell Raw Water Intake Sub-Structure
- Design of Interim Service to North Havre County Water Service from Havre
- Design of Interim Service from Tribal Reverse Osmosis Water Treatment Plant to Box Elder Vicinity

LOOKING AHEAD

- Lake Elwell Raw Water Intake Super-Structure
- A 30.9 mgd Water Treatment Plant
- Estimated 450 Miles of Transmission Pipeline
- Approximately 28,350 People Served by Initial System
- Approximately 43,800 People Served in 50 Years

STRATEGIC FUNDING PRIORITIES

- Secure Administration Budget Authority
- Secure Funding through Alternative Federal and State Programs for Expanded Service
- Work with Montana Delegation in Securing Congressional Support for the Rocky Boy's / North Central Montana Regional Water Supply Project

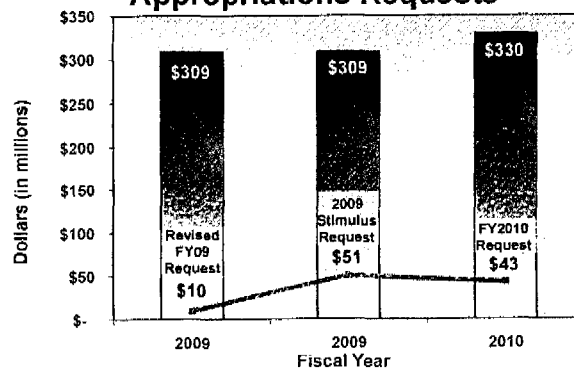


EXTENT 16
DATE 3/12/09
NR 645

FUNDING REQUESTS

- FY 2009 Revised Request: \$10 million
- 2009 Stimulus Request: \$51 million
- FY 2010 Request: \$42.7 million

Federal Authorized Ceiling & Current Appropriations Requests

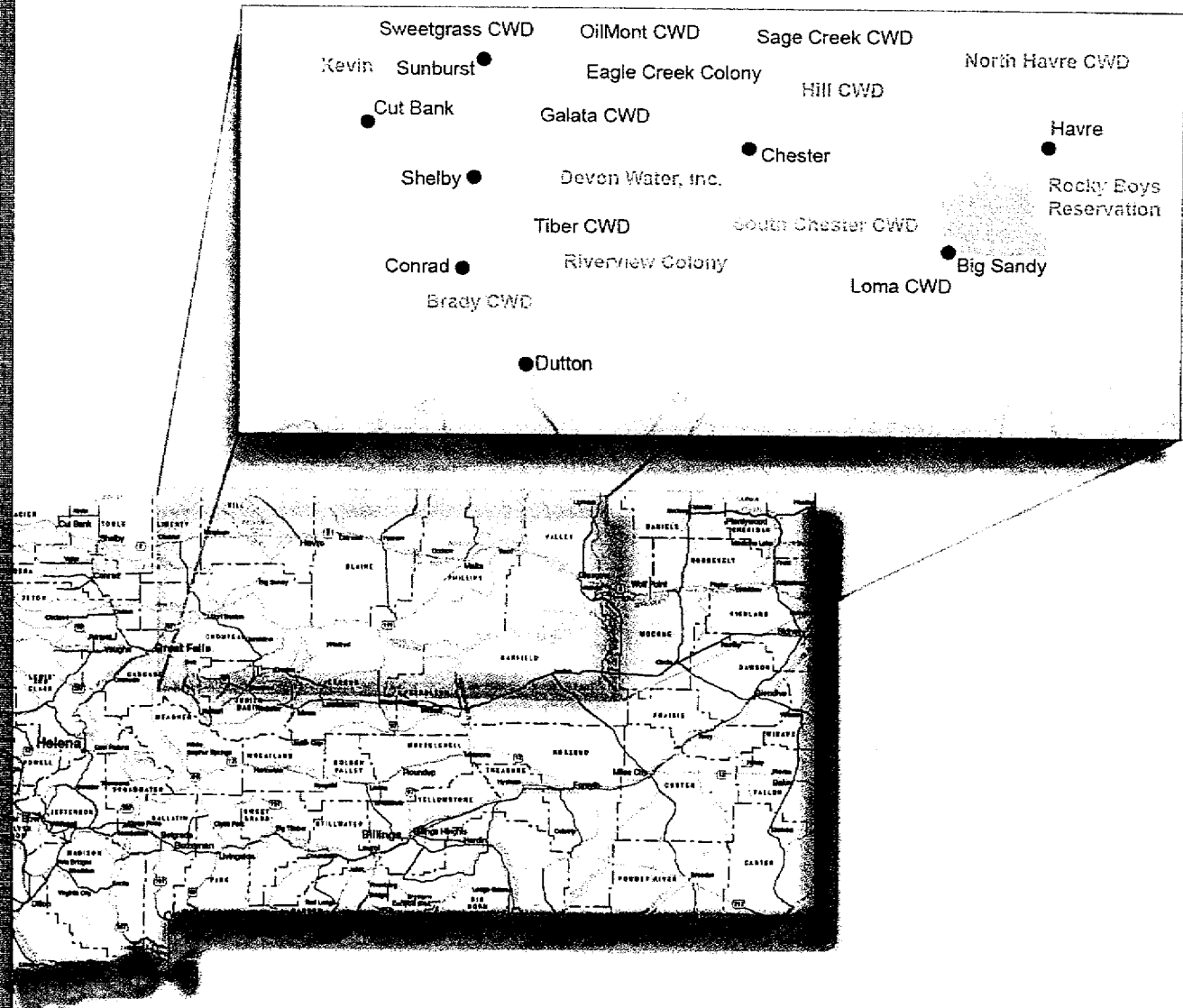


THANK YOU

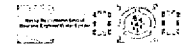
Thanks to the outstanding efforts of the Montana Congressional Delegation the future for north central Montana is very promising. Population is expanding and opportunities for economic development are promising.

Continued Congressional support in securing the funding to create the catalyst that will have significant financial impacts and improve the quality of life for thousands of our citizens is appreciated.

Small communities both on and off the reservation cannot afford to maintain independent water supply systems. Their hope for a safe, sustainable water supply is the Rocky Boy's / North Central Montana Regional Water Supply Project



ROCKY BOY'S / NORTH CENTRAL MONTANA REGIONAL WATER SYSTEM REGIONAL WATER SYSTEM



May, 2008

LEGEND

PROPOSED CORE WATER SYSTEM

--- PIPE LINE
--- WATER TREATMENT PLANT

PROPOSED NON-CORE WATER SYSTEM

--- 4.0" PIPE
--- 6.0" PIPE
--- 8.0" PIPE
--- 10.0" PIPE
--- 12.0" PIPE
--- 14.0" PIPE
--- 16.0" PIPE
--- 18.0" PIPE
--- 20.0" PIPE
--- 24.0" PIPE
--- 30.0" PIPE
--- WATER STATION
--- PUMP STATION
--- TREATMENT PLANT
--- FUTURE DEMANDS
--- BACK-UP WATER SUPPLY
--- WATER SUPPLY SHORTAGE
--- VERY POOR WATER QUALITY
--- FUTURE DEMANDS
--- PREVIOUS RECORDING
--- RELEASE WATER

PARTICIPATING ENTITIES

--- WATER DISTRICT
--- WATER PURCHASER
CAPACITY = 18.4 MGD

CONTINGENT PARTICIPATING ENTITIES

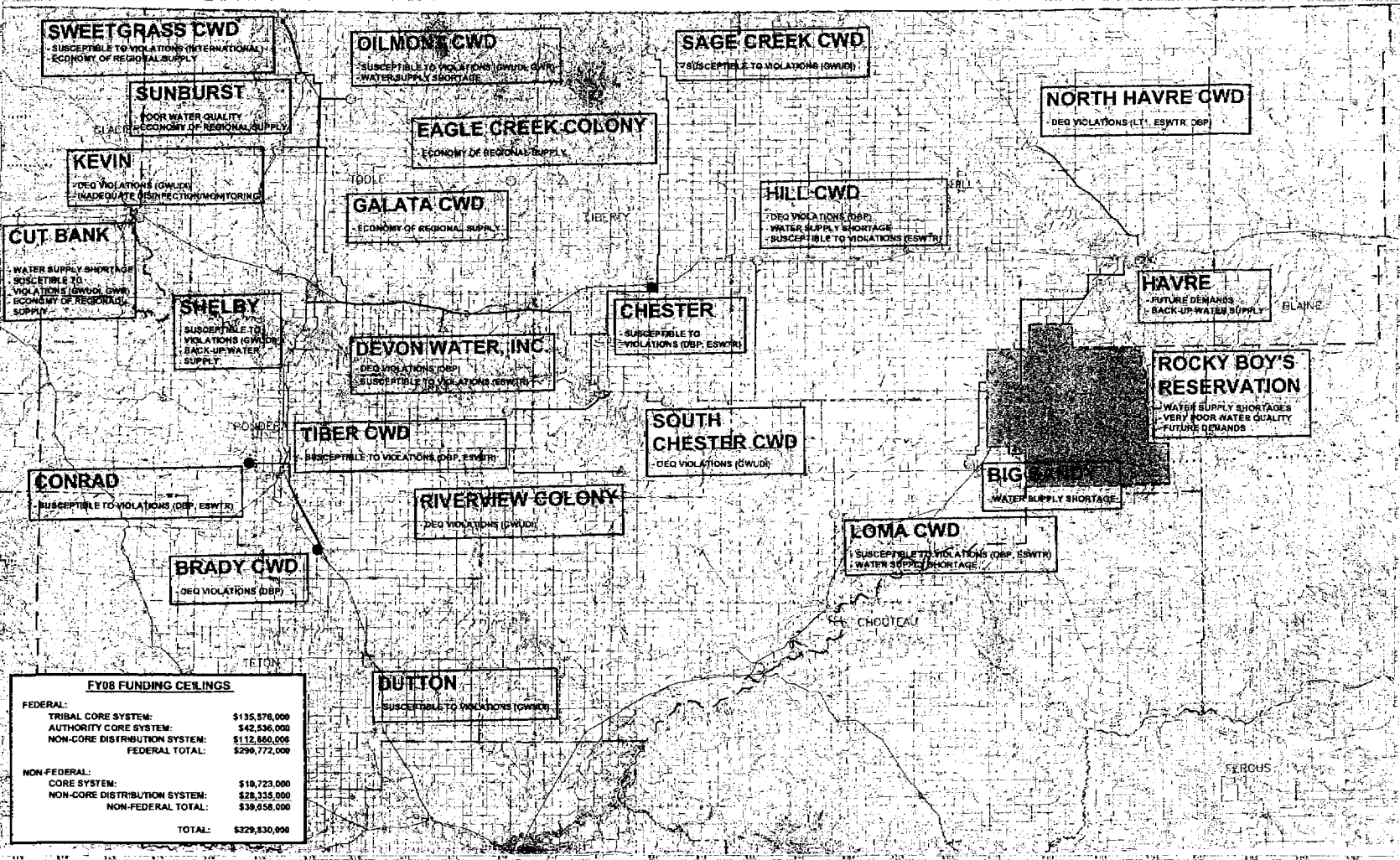
--- WATER DISTRICT
CAPACITY = 4.6 MGD

EXISTING WATER SYSTEMS

--- PIPELINES
--- WATER TREATMENT PLANT
--- TOWNSHIP LINE
--- COUNTY LINE AND ROAD
--- COUNTY BOY'S JOURNAL
--- RESERVATION BOUNDARY
--- REGIONAL COUNCIL
--- REGIONAL COUNCIL BOUNDARY

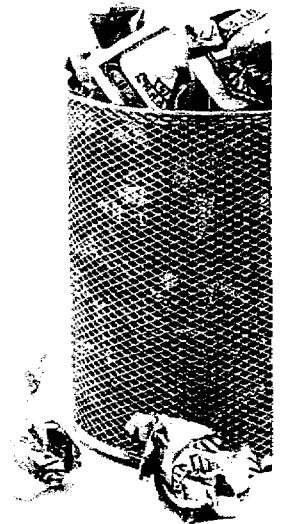
CWD - COUNTY WATER DISTRICT
DEQ - DEPARTMENT OF ENVIRONMENTAL QUALITY

Kadmas
Lee &
Jackson



SIGNIFICANT DEQ VIOLATIONS MAY FORCE \$MILLIONS OF WASTED EXPENDITURES

- 5 Systems Facing DEQ Compliance Orders
 - North Havre County Water District
 - South Chester County Water District
 - Town of Brady
 - Town of Kevin
 - Riverview Colony
- Proposed Project Would Eliminate Problems
- Independent System Improvements are not Affordable and will be Sunk Infrastructure when Project is Completed



January 20, 2009

Chippewa Cree Construction Corp.
Attn: Tony Belcourt, CEO
P.O. Box 3008
Box Elder, MT 59521

**Re: State of Montana Financial Commitment
Rocky Boy's/North Central Montana Regional Water System (NCMRWS) Project**

Dear Tony:

Per your request for information regarding the State of Montana's financial commitment for the Rocky Boy's/NCMRWS Project, please consider the following information in support of legislation to secure funding and manage the impact of project cost indexing on an annual basis:

- **State of Montana Original Financial Commitment:** As authorized, the Rocky Boy's/NCMRWS Project was estimated to cost \$229 million (2002 dollars). Based on the authorized amount, the State of Montana is committed to funding its share, which is \$13,060,000 (2002 dollars).
- **State of Montana Current Financial Commitment:** The authorized ceiling of the Rocky Boy's/NCMRWS Project is indexed on an annual basis by the Bureau of Reclamation to keep pace with the impact of inflation and rising costs of construction. According to correspondence received from the Bureau of Reclamation dated May 6, 2008, the cost ceiling is approximately \$312 million (2008 dollars). Based on the indexed cost ceiling, the State of Montana's share of the project is \$18,362,000 (2008 dollars).
- **Average Annual Cost of Indexing:** Since the Rocky Boy's/NCMRWS Project was authorized, the average annual cost indexing factor has been approximately 5.8 percent. Assuming similar indexing factors moving forward, the current cost ceiling, and the current financial commitment by the State of Montana, it is anticipated that the financial commitment by the State of Montana could increase by approximately \$1.1 million on an annual basis.

AE2S greatly appreciates the opportunity to be of assistance. If you have any questions or require additional information, please do not hesitate to contact me or Nate Weisenburger at (406) 268-0626.

Sincerely,

AE2S

Deon M. Stockert, PE
Drinking Water Group Manager

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OFFICE OF THE SECRETARY OF STATE

PO BOX 202801
HELENA MT 59620-2801
www.sos.mt.gov
(406) 444-2896
(406) 444-3976 (FAX)
(406) 444-9068 (TTY)

Linda McCulloch
Secretary of State

9
EXCISE # 17
DATE 3/12/09
H# 645

SOS Information Management System (SIMS)

The SIMS system will join the office's business, financial and image processing together under one roof.

Why is the new system needed?

The Secretary of State's Office is currently running on 23 different computer systems - many of which are very old (the Corporate Filing system was developed in 1978), and most of which do not communicate with each other. This means that work is often duplicated and that data entry is not uniform among systems. In addition, there are many different programming languages and hardware types to maintain, and maintenance/operation costs are increasing every year as the hardware becomes more antiquated.

- Systems up to 30 years old.
- Runs on 1978 mainframe.
- Costly maintenance.
- Only one company can maintain the system.
- High risk of failure.

Most urgently, since only one remaining vendor is available to service the majority of these antiquated systems, there is a high risk that many of these systems may fail - and the lien system is very important in these economic times.

What will the new system do for SOS?

SIMS will give the SOS employees one way to do the work that comes in the door. All requests/orders/filings will go through the same steps, including scanning and financial calculations. Paper will no longer have to be moved between people. The system will be able to apply a good number of the business rules automatically, so documents are processed faster.

- Meet customer needs of Montana's business community.
- Standard entry.
- Less paper.
- One technology platform.

The technology staff will only have to support one system. Hardware will be modern and set up so that it can grow over time without large unexpected costs. The new system will be also internet based, so staff will not require any special programs on their machines to run it. Since there will only be one system for the whole office, staff will be able to move into new positions (or just cover for workmates) without having to learn a completely new system.

The new system will also be good for SOS customers, integrating that use of email and fax to send and receive documents. Since the data will be in one place, a search will return information about all the interaction a person or business has had with the Office. In addition, customers have flexible payment options – instead of one check for each filing.

Montana businesses are eager for these types of modernization improvements.

Why does this new system cost so much?

Businesses today rely on IT systems to meet the expectations and demands of their customers. Montana businesses have been asking for modern services, and the current, antiquated SOS systems just cannot deliver. The SIMS system will not only be required to replace the old systems, but must perform more work, in less time, while providing exponentially more information and communication than the systems it is replacing.

Although it is costly to replace all of these systems at once, the integration will provide vast business, data and performance returns on the investment.

- System is designed specifically for the Montana Secretary of State.
- New software must comply with all current SOS procedures and Montana law.
- Minimum Two-Year Development Timeline.

The new system is being designed specifically for the Montana secretary of State's office, and will take the place of 23 different systems and even more manual processes. A team of technology specialists will work for roughly two years to create the software and set up the system for the Montana Secretary of State's office. The number of people who will work to create the system imposes the largest cost for this system. Additional staff will be working to make sure the system meets the processing needs of the State – both in time and accuracy.



EX-17
DATE 3/12/09
NO 645

OFFICE OF THE SECRETARY OF STATE

PO BOX 202801
HELENA MT 59620-2801
www.sos.mt.gov
(406) 444-2896
(406) 444-3976 (FAX)
(406) 444-9068 (TTY)

Linda McCulloch
Secretary of State

Possible Effects of a Computer System Failure in SOS

Business Services

If the current Business Services computer systems were to fail:

- Businesses would **NOT** be able to register in the state or file required documents.
- Lending organizations would **NOT** be able to submit UCC filings or verify collateral to complete loans.
- Grain elevators and livestock yards would **NOT** receive a listing of current EFS liens needed to complete livestock and agriculture sales.

If the Corporations' Mainframe computer shut down:

- The Secretary of State's office would **NOT** be able to process the filing needs and requests of any registered business operating in Montana.
- The Secretary of State's office would **NOT** be able to notify businesses of any unfiled forms that are required to be on record with the State of Montana.
 - Businesses that do not file with the Secretary of State could accidentally be involuntarily dissolved if the business was unaware that they had not met their filing requirements.
- The public would **NOT** be able access accurate public information about a registered business operating in Montana.
- Banks would **NOT** be able to verify the existence or standing of a business when considering loan options for that business.

If the UCC (Uniform Commercial Code) system shut down:

- Banks would not be able to verify if loan collateral was already subject to a security interest. As a result, financial institutions might be hesitant to provide loans. Or if inaccurate information is inevitably provided due to faulty & antiquated state technology, a financial institution may unknowingly make risky loans assuming that the collateral has been properly verified.

If the Farm Bill/EFS (Effective Finances Statement) system shut down:

- Grain elevators and livestock yards across Montana would **NOT** receive a farm bill master list to verify whether a lien from a financial institution exists against the livestock or agricultural product being sold.
 - The result could be that grain elevators and livestock yards would be less willing to pay producers for their products.

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Kasten, Rep Dave

From: Larry Mires [smrwg@nemont.net]
Sent: Thursday, March 12, 2009 12:11 PM
To: Kasten, Rep Dave
Cc: "Wayne Stahl"
Subject: St. Mary -Milk River P

EXHIBIT 18
DATE 3/12/09
NO 645

Representative Kasten,
As per your request.

For the St. Mary Rehabilitation Project
\$1.5 million to be used to address development of the final National Environmental Protection Act
(NEPA) document. This would allow for any repairs to be in line with a final rehabilitated facility.

This is a jobs process as it will put Blackfeet members to work surveying and assessing options on
the Blackfeet Reservation with the Bureau of Reclamation and the State of Montana.

Thank You for your assistance and support,
Larry

Larry Mires
St. Mary Rehabilitation working Group
74 4th St. N.
Glasgow,
Montana 59230

(406) 263-8402

smrwg@nemont.net

add to the list

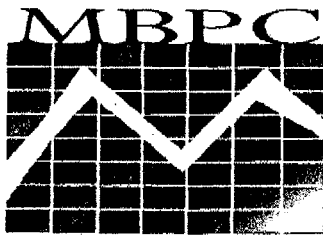
Conservation District and Watershed Group Priorities

for the

AMERICAN REINVESTMENT AND RECOVERY PLAN

March 2009

1. Conservation Districts and Watershed Groups have developed a list of shovel-ready priorities for the stimulus dollars. Half of these projects are ready to proceed within 30 days; the remainder would take up to 90 days.
2. We recognize that there are a limited number of dollars available, and that all the projects cannot be funded.
3. We propose that three generic projects be funded at these levels:
 - a. \$2,364,000 for river and stream restoration projects.
 - b. \$3,849,000 for canal and irrigation ditch restoration projects.
 - c. \$3,000,000 for restoration of animal feeding operations.
4. We propose that the Department of Natural Resources and Conservation, the Montana Association of Conservation Districts, and the Montana Watershed Coordination Council be authorized to develop criteria, prioritize requests, and award the dollars.



Montana Budget &
Policy Center

Policy Brief
03/03/2009

EXHIBIT 20-
DATE 3/12/09
NO 645

Recovery and Reinvestment in Montana

The \$787 billion American Recovery and Reinvestment Act of 2009 (hereinafter "federal stimulus act") provides extensive relief to states, local governments, and individuals suffering from the current economic downturn. Estimates for total relief provided to Montana and its citizens range from \$636 million to as much as \$1.73 billion.¹ This brief does not attempt to provide a comprehensive list of funding provided under the act, but rather provides:

1. General principles to consider when allocating the funds, and
2. Information on the core components of the act with the greatest potential for providing relief to low- and moderate-income Montanans.²

I. Principles for Allocating Federal Stimulus Funds

Montana Should Honor the Purpose of the American Recovery and Reinvestment Act.

The goals of the federal stimulus act, as stated in the legislation, are:

1. To preserve and create jobs and promote economic recovery.
2. To assist those most impacted by the recession.
3. To provide investments needed to increase economic efficiency by spurring technological advances in science and health.
4. To invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits.
5. To stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.³

The Montana Budget and Policy Center believes that these goals should guide the Legislature in the allocation of both the direct funding from the federal stimulus act *and also* any resulting savings generated in the general fund. For example, the increase in the federal match rate for Medicaid (discussed in more detail below) will decrease the amount of state dollars needed to fund Medicaid services in the state. The resulting money freed up in the general fund should be used in a way that honors the goals articulated in the federal stimulus act.

¹ Center for American Progress, "The Nationwide Allocation of Recovery Funding: An Interactive Map on the Final House-Senate Compromise," February 13, 2009, at http://www.americanprogress.org/issues/2009/02/compromise_map.html.

² For a comprehensive list of funding with the potential to impact Montana, see Legislative Fiscal Division, Federal Economic Stimulus by Subcommittee at <http://leg.mt.gov/css/fiscal/default.asp>.

³ H.R. 1, "The American Recovery and Reinvestment Act of 2009," pp. 1-2, at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.pdf (emphasis added).

Montana Should Use Federal Stimulus Funding to Prevent Cuts in Key Services

Representatives on both sides of the aisle have suggested that federal stimulus funding should only be used to fund "one-time-only" expenditures and should not be used to fund ongoing programs or services.⁴ Such comments threaten to undermine core goals of the federal stimulus act, namely assisting those individuals most impacted by the recession and avoiding reductions in essential services.

Montana revenue, like all states' revenue, is expected to decline rapidly over the next biennium.⁵ At the same time, demand for government services is likely to increase. The federal funding is *intended* to prevent cuts in key services during this time of economic downturn. In other words, when the national and state economy rebound, Montana revenues will also rebound and demand for government programs will likely decrease. The federal stimulus funding should be used to avoid cuts to (and provide adequate present law adjustments for⁶) ongoing programs and services during the interim.

"In normal economic times, government should avoid paying for ongoing spending needs (or permanently cutting taxes) based on a one-time revenue windfall. But these are not normal times. State revenues have plummeted as a result of the recession; the federal stimulus funds are intended to fill in for a portion of the missing revenues, thereby preventing deep budget cuts that would further drag down the state economy."

- Center on Budget and Policy Priorities,
"If States Fail to Use Stimulus Funds as
Intended, Efforts to Strengthen Economy
Could be Undercut."

Preventing cuts in government services during this downturn is important for at least two reasons:

1. Individuals and families struggling to make ends meet during the recession will need to rely more heavily on government programs and services. Therefore, even if eligibility levels stay the same, Montana can expect to see an increase in demand for government programs such as Unemployment Insurance, Temporary Assistance for Needy Families, and Children's Health Insurance. If government funding for these programs does not grow to meet increased demand for the programs, Montana individuals and families will find government services lacking during their time of greatest need.
2. Cuts in government services harm the economy and could extend the recession. One of the basic tenets of economic policy is that money circulating through the economy – buying goods, paying salaries, generating jobs – is needed to move out of a recession. This is true whether the money is from a big corporation, a small mom-and-pop operation or state and local governments. Governments pay salaries, buy goods and services, and generate jobs, which can be particularly important during a recession, when individuals and businesses are spending and investing less in the economy. Cuts in government spending- including increased vacancy savings- would reduce overall demand for goods and services and further weaken the economy.

⁴ Mike Dennison. "Stimulus Muddies Budget Picture," Helena Independent Record, March 1, 2009, at http://helenair.com/articles/2009/03/02/legi/60st_090301_stimulus.txt.

⁵ Revenue estimates for Montana were reduced by \$511 million by the Revenue and Transportation Interim Committee in November 2008, and further reduced by \$252 million by the House Taxation Committee in February 2009.

⁶ The Legislative Fiscal Division has raised concerns about the ability to fund present law services under the Governor's 2011 proposed budget. See *Legislative Budget Analysis 2011 Biennium, Vol. 1 – Statewide Perspectives*, January 2009, pp. 13 – 14.

If the economy and, as a result, Montana revenue have not rebounded by the next legislative session and additional federal stimulus is not available at that time, the Montana Legislature may be forced to make difficult cuts in spending. Those cuts should not be made prematurely.

Federal Stimulus Funding should not be Used to Fund an Ending Fund Balance

In some cases, Montana may be able to replace general fund dollars with federal stimulus funding. General fund dollars freed up by the federal stimulus funding should be spent on programs, services, and infrastructure that will stimulate the economy and assist struggling families. Neither the federal stimulus funds nor the "saved" general funds should be set aside as an ending fund balance. Doing so would undermine the intent of the federal stimulus act and fail to strengthen the Montana economy.

II. Information on Core Components of the Federal Stimulus Act

Fiscal Stabilization to the States

The federal stimulus act includes a total of \$53.6 billion in fiscal relief for state and local governments. The fiscal relief is separated into two different block grants, one to help prevent cuts to K-12 and higher education (82% of the federal stabilization fund) and another allowing states flexibility to avoid cuts to other key services (18%). Under the state stabilization fund, Montana would receive approximately \$121.6 million from the education block grant and \$27.1 million from the flexible block grant, for a total of \$148.7 million in fiscal stabilization. Both block grants will be available immediately and must be used within 2 years of receipt of the funds. In addition to the block grants, other funds will be available through competitive grants and directly from federal departments.

Education Block Grant

The education block grant funding must be used to:

1. Restore funding to local schools for primary and secondary education to the greater of FY08 or FY09 levels or to existing state formula levels, whichever is higher, for fiscal years 2009, 2010, and 2011.
2. Restore state funding for higher education to the greater of FY08 or FY09 levels, whichever is higher.
3. Allocate any remaining funds to local schools based on the Federal Title I formula. Federal Title I funding is distributed according to the number and proportion of children in a school who are living in poverty.

If funds are insufficient to restore funding to K-12 and higher education, the state must allocate between the two in proportion to their shortfalls. In order to be eligible for the education block grant, states must maintain education funding levels that are at least as high as FY06 funding.

Flexible Block Grant

The flexible block grant can be used to avoid cuts to education or other basic state services such as public safety and law enforcement, services for the elderly or disabled. It may also be used for school repair or modernization.

Education Incentive Grants

In addition, the federal stimulus act includes \$5 billion in education incentive grants which states can apply for based on the progress made on initiatives in the state, such as improving the distribution of teachers between high-poverty and low-poverty schools. One-half of any funds received in education incentive grants must be passed through to local school districts.

Other Education Relief

The federal stimulus bill provides additional funding to states for various specific education programs, to be distributed by the U.S. Department of Education. The bulk of the additional funding for K-12 education is in the form of increases to:

- Title I: Title I grants provide supplemental education funding, especially in high-poverty areas, for programs that provide extra academic support to help raise student achievement.
- IDEA: The Individuals with Disabilities Education Act (IDEA) grants provide funding to assist states and school districts with the costs of special education.

The following table provides estimates from the Congressional Research Service for additional funding under the federal stimulus act for K-12 education in Montana.⁷

Description	Technical Discription	Estimated Additional Amount to MT FY2009
Title I- Education for the Disadvantaged	ESEA, Title I-A Grants to LEAs (Targeted, EFIG, and School Improvement)	\$44,013,000
Education Technology	ESEA, Title II-D	\$3,145,000
Education for Homeless Children and Youth	McKinney-Vento	\$224,000
Individuals with Disability Act- Early Intervention for Infants & Toddlers	IDEA Part C State Grants	\$1,764,000
Individuals with Disability Act - Grants to States	IDEA, Part B (sec. 611)	\$36,708,000
Total		\$85,854,000

⁷ Congressional Research Service, "Estimated grants to states for education programs under the conference agreement to H.R. 1," February 13, 2009, at <http://edlabor.house.gov/documents/111/pdf/publications/ARRA-estimatedstateeducationfunding-20090213.pdf>.

Higher Education

The federal stimulus act also includes increased funding for higher education beyond that which is included in the education block grant, but the available funds either go directly to students (Pell Grants) or to the universities. The act:

- Increases the maximum Pell Grant by \$500 to \$5,350 for 2009-2010 and to \$5,550 for 2010-2011 (distributed directly to students/campuses);
- Provides \$200 million for work-study programs for an additional 133,000 students nationally (distributed directly to campuses).

Medicaid Assistance

The federal stimulus act includes \$87 billion in assistance to states in the form of an increased share in Medicaid expenditures paid for by the federal government for the time period beginning October 1, 2008 through December 31, 2010. Montana will receive an estimated \$180 million of this Medicaid assistance, or roughly \$60 million for FY '09, \$80 million for FY '10, and \$40 million for FY '11.⁸

Key Terms

The **FMAP rate** is the "federal medical assistance percentage" rate. The rate determines the percentage of Medicaid expenditures in each state paid for by the federal government.

The federal Medicaid assistance is made up of 3 distinct streams of funding:

1. The federal stimulus bill contains a "hold harmless" provision for states that would have experienced a reduction in their FMAP rates during 2009, 2010, or 2011. The provision keeps any state from having its FMAP rate reduced during this period. Montana had an FMAP rate of 68.53 in 2008, which was reduced to 68.04 for 2009. Under the hold harmless provision, Montana's FMAP rate will remain at 68.53.
2. All states, including Montana, will receive a 6.2 percentage point increase in their FMAP rate after the hold harmless provision is applied. Montana's current adjusted FMAP rate is 68.53 and will increase to 74.55 under the federal stimulus act. In other words, for every \$25.45 that Montana spends on Medicaid, the federal government will match with \$74.55.
3. Thirty-five percent of the Medicaid funding in the stimulus bill is directed to those states experiencing the worst economic conditions as measured by the biggest increase in unemployment rates. Depending on Montana's increase in unemployment, the state could get a 5.5%, 8.5%, or 11.5% further reduction in the share of Medicaid costs paid by the state. For the purposes of measuring increases in unemployment, a base period is established for each state. The base period is the lowest average monthly unemployment rate for any three-month period since January 1, 2006. For each quarter in which the state sees an increase in unemployment of 1.5 to 2.5 percentage points above the base period, the state's share of Medicaid costs will be reduced by 5.5% (tier 1). If unemployment increases between 2.5 and 3.5 percentage points, the state's share will be reduced by 8.5% (tier 2), and if unemployment increases over 3.5 percentage points, the state's share will be reduced by 11.5% (tier 3). The change in unemployment rate and resultant change in funding will be evaluated each quarter, but no state will see a reduction of federal

⁸ Center on Budget and Policy Priorities calculations based on Government Accountability Office estimates. Center on Budget and Policy Priorities, "Recovery Act Provides Much-Needed, Targeted Medicaid Assistance to the States," February 13, 2009, at <http://www.cbpp.org/2-13-09sfp.pdf>.

funding prior to July 1, 2010. The Government Accountability Office estimates that Montana will fall in the first tier until the third quarter of 2009, when the state will fall into the 2nd tier.⁹

The FMAP increases will apply to Medicaid, Title IV-E foster care and adoption assistance but not to Medicaid Disproportionate Share Hospital payments, CHIP, or other programs that use a federal matching rate based on FMAP.

In order to qualify for any increased Medicaid funding under federal stimulus, Montana must not restrict Medicaid eligibility levels below their July 1, 2008 levels. This includes eligibility restrictions that make it more difficult for recipients to meet procedural requirements for enrollment or renewal of benefits.

Limits to Medicaid Stimulus

The FMAP increases will not be available for payments made to individuals covered by eligibility expansions occurring after July 1, 2008. Most significantly, they will not apply to eligibility expansions under the Healthy Montana Kids Plan Initiative.¹⁰ However, general fund savings resulting from the increased FMAP may be used to fund expansions.

Unemployment Modernization

The federal stimulus act adopted key provisions of the proposed Unemployment Insurance Modernization Act (UIMA), bi-partisan federal legislation that provides substantial financial incentives for the states (\$7 billion) to close the major gaps in the unemployment program that deny benefits to large numbers of hard-working families. *Montana will need to make legislative changes to its unemployment insurance laws in order to maximize this federal stimulus.* In addition, the measure provides \$400 million in necessary funding for state agencies to better serve the record numbers of workers now applying for unemployment benefits and navigating today's challenging job market.

A state qualifies for one-third of its UIMA funding if it has in place a policy called the "alternative base period," which counts a worker's most recent earnings when those earnings are needed for her to qualify for benefits. Nationally, over 40% of workers who currently fail to qualify for benefits because of insufficient earnings will end up collecting benefits with the help of the alternative base period.

To qualify for the remaining two-thirds of the UIMA incentive funding, the states have the option of providing benefits to workers in at least two of the following four situations: 1) part-time workers who are denied state benefits because they are required to seek full-time work; 2) individuals who leave

⁹ Government Accountability Office, Memo to Chairman Baucus, Senate Finance and Claims Committee, "Estimated Temporary Medicaid Funding Allocations Related to Section 5001 of the American Recovery and Reinvestment Act" at <http://www.gao.gov/new.items/d09364r.pdf>.

¹⁰ Center on Budget and Policy Priorities, "Recovery Act Provides Much-Needed, Targeted Medicaid Assistance to the States." ("The FMAP increase would generally apply to all Medicaid costs, except for Disproportionate Share Hospital (DSH) payments made to hospitals that disproportionately serve low-income patients and Medicaid beneficiaries, and payments attributable to individuals newly covered by income eligibility expansions that were not already in place on July 1, 2008. The increase would also not apply to non-Medicaid program costs like SCHIP whose matching rates are based on the FMAP, with the exception of Title IV-E costs. Only the hold harmless and the base increase would apply to Title IV-E costs; the increase related to unemployment would not apply to such costs.")

work for compelling family reasons, including domestic violence; 3) workers with dependent family members who qualify for state benefits but whose benefits should be increased to help care for their dependents; or 4) permanently laid off workers who require extra unemployment benefits to participate in training.

Montana needs to adopt the alternative base period in order to get the first 1/3 of UIMA funding. Montana needs to adopt two additional reforms in order to qualify for the remaining funding.

If those reforms are adopted, the National Employment Law Project estimates that Montana will receive the following funds for Unemployment Insurance Modernization¹¹:

	Estimated Amount
One-third UIMA Incentive Payment for the adoption of the Alternative Base Period	\$5,913,000
Two-thirds UIMA Incentive Payment for adopting two additional modernizations	\$11,826,000
Total maximum share of \$7 billion UIMA distribution	\$17,739,000
UIMA Administrative Allocation	\$1,292,000
Total	\$19,031,000

Other Benefits to Unemployment Insurance Recipients (without Impact to State Budget)

The federal stimulus act also includes:

- A \$25 per week increase in unemployment benefits. The National Employment Law Center estimates that 52,906 Montanans will benefit from the weekly increase during calendar year 2009 with approximately \$26.07 million flowing to unemployed Montanans.
- A continuation of the Emergency Unemployment Compensation Program (previously scheduled to expire in March 2009) through December 2009. An estimated 9,703 Montanans will benefit from the extension of the emergency benefits, with additional benefits paid in Montana totaling \$49.18 million.¹²
- Suspension of taxation on the first \$2400 of unemployment insurance benefits.
- Extension of COBRA benefits for unemployed workers for an additional 9 months with subsidies for 65% of the costs of COBRA coverage.

Training and Employment Services

The federal stimulus act provides \$3.95 billion in additional funding for Workforce and Investment Act programs providing local job training and employment services for dislocated workers and youth. \$2.95 billion of the funding will be distributed through the standard WIA grant formulas. The additional funding will be used for youth programs, competitive grants for worker training and placement in high growth industries, and the dislocated workers assistance and national reserve. The

¹¹ National Employment Law Center, "The Unemployment Insurance Modernization Act: Filling the Gaps in the Unemployment Safety Net while Stimulating the Economy," November 2008, at http://nelp.3cdn.net/be99b1d64d4a1110dc_cgm6b9tpk.pdf.

¹² National Employment Law Center, "American Recovery and Reinvestment Act 2009: Estimates of Jobless Workers Benefiting from Selected Unemployment Insurance Provisions," February 13, 2009, at <http://www.nelp.org/page/-/UI/RecoveryPlanEstimates.pdf>

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Legislative Fiscal Division estimates that Montana will receive \$8.8 million in the additional Workforce Investment Act funding.

Funding for Increased Temporary Assistance for Needy Families (TANF) Caseloads

The federal stimulus act also creates a TANF Emergency Contingency Fund for fiscal years 2009 and 2010 which provides Montana and other states with additional funding in the form of an 80% federal match for increases in TANF expenditures in any of the following three areas:

- Basic assistance,
- Subsidized employment programs, or
- Programs providing short-term, non-recurrent aid.

Increases in expenditures are measured relative to a base year, either 2007 or 2008, whichever has the lower caseload (for the basic assistance category) or lower expenditures (for the other two categories). The base year can be different for each category of spending. Montana's base year for increases in basic assistance will be fiscal year 2008 because the state had lower caseloads in 2008 than 2007. Therefore, to receive the 80% federal match for increased spending in basic assistance, Montana must demonstrate an increase in caseload for the quarter of spending relative to the corresponding quarter of 2008. Increased expenditures, but *not* increased caseloads, are a requirement for the federal match in the other two program areas.

States can meet their 20% match by either increasing spending or by cutting spending in other TANF-related funding, such as child care or child protective services. Emergency TANF funding is available retroactively for any increases experienced in the last quarter of calendar year 2008. No state may receive emergency contingency funds in excess of 50% of the State Family Assistance Grant (not including any supplemental grants). The Legislative Fiscal Division estimates that Montana will receive approximately \$3 million in increased federal funding for TANF. Once Montana qualifies for the funds based on any or all of the three program categories, the state can spend the money in any manner that is permissible under the TANF block grant. The federal stimulus act caps total expenditures for the Emergency Contingency Fund at \$5 billion, roughly double the amount that the Congressional Budget Office estimates will be used by the states.

The legislation also allows all states to maintain current welfare-to-work participation requirements even if TANF rolls increase.

Tribal TANF

The Emergency Contingency Fund is available for tribes with approved family assistance plans in the same manner as it is available to the states.

Supplemental Nutrition Assistance Program (Food Stamps)

The federal stimulus act also includes additional funding for the food stamps program. \$19 billion of the \$20 billion will be used to fund a 13.6% increase in the maximum food stamp benefit, starting April 2009. This increase will benefit over 80,000 Montana families. It will also provide additional administrative funds to assist in the implementation of the benefits increase and rising caseloads. In addition, the food stamp provisions suspend the current three-month time limit for many unemployed adults without children.

The estimated benefits to Montana from this package are reflected in the table below:¹³

	Estimated Amount
Increase in Food Stamp Benefits	\$57,000,000
Administration	\$700,000
Total	\$57,700,000

The federal stimulus act also includes \$5 million for food distribution to Indian reservations.

Emergency Shelter Grant Programs

The federal stimulus act provides increased funding for the Emergency Shelter Grant program, a program providing grants (based on formula) to states and localities for use in homelessness shelter, prevention, and outreach. Twenty-five percent of the funding goes to the states and the remaining to localities. The additional funding can be used by states and localities to provide rental assistance, housing stabilization services, housing relocation assistance, and moving costs. Montana state and local governments are expected to receive \$3.8 million in additional funding through this program, offering assistance to approximately 7,000 Montana households.¹⁴

Weatherization Assistance Program

The federal stimulus act increases funding for the Weatherization Assistance Program, which assists low-income families in reducing energy bills by weatherizing their homes and increasing energy efficiency. The act increases eligibility for the program to 200% of the federal poverty level and increases the maximum benefit amount from \$3,000 to \$5,000. The Legislative Fiscal Division estimates that local entities in Montana will receive grants totaling over \$27 million for additional weatherization assistance.

Additional Support for Children and Families

Child Care Subsidies

The federal stimulus act includes a total of \$2 billion in extra funding for Child Care Development Block Grants, which assist states in providing child care subsidies for low-income parents who are working or involved in education and training. The Center for Law and Social Policy estimates that Montana will receive \$5,747,006, of which \$475,098 must be directed toward quality improvements, and \$275,144 must be directed for quality improvements for infants and toddlers.¹⁵

Child Support Enforcement Division

The federal stimulus act restores a 2006 cut in federal funding for state child support enforcement efforts beginning October 2008 through September 2010. The Center for Law and Social Policy

¹³ Center on Budget and Policy Priorities, "American Recovery and Reinvestment Act of 2009: State-by-State Estimates of Key Provisions Affecting Low- and Moderate-Income Individuals," February 13, 2009, at <http://www.cbpp.org/1-21-09tax3.htm>.

¹⁴ *Ibid.*

¹⁵ Center for Law and Social Policy, "Impact of American Recovery and Reinvestment Act of 2009 on Child Care and Development Block Grant Funding," February 13, 2009, at http://clasp.org/publications/aara_childcarestatealloc.pdf.

estimates that Montana will receive \$7.9 million in additional funds for child support enforcement activities over the next two years.

Tax Cuts for Working Families (no impact on state budget)

Making Work Pay Credit

The Making Work Pay Credit will provide \$400 in tax relief for every worker who is not claimed as another taxpayer's dependent. Eligibility for the credit is limited to individuals with incomes less than \$100,000 and households with incomes less than \$200,000. The credit will be paid through each worker's paycheck, phased in at the same rate as the Social Security tax. The Center on Budget and Policy Priorities has estimated that 356,000¹⁶ Montanans will benefit from this credit, with a resulting \$142,400,000 flowing into the Montana economy.

Expansion of Earned Income Tax Credit

The Earned Income Tax Credit (EITC) has been expanded in two ways in the federal stimulus act. First, benefit levels for families with 3 or more children will be increased. Previously, these families received the same benefits as families with two children. Second, the EITC will begin phasing out at a higher level of income for married couples with children. This expansion will help an estimated 23,807 Montana households that are currently eligible for the EITC and would add 2,777 more eligible households.¹⁷ The expansion of the federal EITC is estimated to bring \$12.5 million to Montana families across the state.

Expansion of Child Tax Credit

The federal stimulus act expands the Child Tax Credit through two different mechanisms: (1) it lowers the income threshold at which families become eligible for the credit to \$3,000 from approximately \$8,500 in 2008 and \$12,550 in 2009, and (2) it increases the benefit for many families receiving the credit. The Center on Budget and Policy Priorities estimates that over 50,000 children in Montana will benefit from the increase in the child tax credit.

The Montana Budget and Policy Center will update this brief as new information becomes available.

¹⁶ Center on Budget and Policy Priorities, "Tax Aid in Recovery Package would Reach Large Numbers of Workers in Every State," February 13, 2009, at <http://www.cbpp.org/1-21-09tax3.htm>.

¹⁷ Kneebone, Elizabeth. "Economic Recovery and the EITC: Expanding the Earned Income Tax Credit to Benefit Families and Places" The Brookings Institution. February 18, 2009 at http://www.brookings.edu/papers/2009/0129_eitc_kneebone.aspx

EXHIBIT 21
DATE 3/12/09
NO 645

#21



US SENATOR MAX BAUCUS FY2010 APPROPRIATIONS REQUEST FORM

* Submit by February 27, 2009, 8:00 PM Eastern Time

Project Name: Deer Lodge Wastewater Improvements Project

Requesting Entity: City of Deer Lodge

Requesting Individual: Mary Ann Fraley, Mayor

Amount Requested: \$ 545,200

Appropriations Bill: EW, Energy and Water

Agency: Environmental Protection Agency

Account: STAG

Project Justification (4 sentences; 150 word limit): The City of Deer Lodge's wastewater treatment system is in dire need of repair and improvement to meet Montana Department of Environmental Quality (DEQ) discharge requirements and to promote a healthy and safe Clark Fork River. Some of the sewer pipes in town allow infiltration of groundwater into the system. We are beginning work this spring that will greatly reduce the amount of groundwater entering the system. This is the first phase of an overall upgrade of our wastewater system.

Description of the Project (no limit):

The major problems with the city's wastewater system are:

- Excessive groundwater infiltration into the wastewater collection system causes:
 - Dilute wastewater influent that limits the ability of the existing treatment lagoons to meet the BOD₅ and TSS percent removal requirements of the Secondary Treatment Standards.
 - High wastewater flows above the capacity of the effluent irrigation system so it is not possible to achieve zero discharge to the river in the summer months.
- The existing aerated lagoon treatment facility is not capable of treating to the ammonia levels necessary to meet anticipated effluent limits for year around discharge to the river when the discharge permit is renewed in November of 2011.

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Total Cost of Project and Detailed Budget Breakdown:

Proposed Phase 1 Funding Plan, 2009							
Sub Phase Number	Location	Estimated Total Project Cost	Construction Year	Funding Source	Reserve Fund Balance at Start of Project	Annual Amount to Reserve Fund ^{1,3}	Reserve Fund Balance at End of Project
1A	Rehabilitate California Ave. sewer from West St. to Kohrs St.	\$248,800	2009	Sewer Reserve	\$512,580	\$120,000	\$263,780
1B	Construct influent monitoring building at existing lagoons	\$44,300	2009	Sewer Reserve	\$383,780	-	\$339,480
Proposed Phase 1 Funding Plan, 2010 - 2012							
Sub Phase Number	Location	Estimated Total Project Cost	Construction Year	Funding Source	Reserve Fund Balance at Start of Project	Annual Amount to Reserve Fund ^{1,3}	Reserve Fund Balance at End of Project
1C	Rehabilitate Interceptor Sewer from Rainbow St. to Conley Ave. ¹	\$545,200	2010	Sewer Reserve or STAG	\$699,480	\$360,000	\$154,280
1D	Rehabilitate Outfall Sewer from Rainbow St. to Lagoons ²	\$1,322,000	2011	SRF Loan ²	\$514,280	\$360,000	\$192,280
1E	Rehabilitate Cottonwood	\$343,000	2012	Sewer Reserve	\$452,280	\$260,000	\$109,280

Other Members of Congress Supporting this Request (if any): Senator Jon Tester

Previous Federal Appropriations History: None for this project

County or Counties impacted by the project: Powell County directly; Granite and Missoula County indirectly

Grantee Legal Name: City of Deer Lodge

Grantee Street Address: 300 Main Street

Grantee City/State/Zip: Deer Lodge, MT 59722

Local Contact Name/Title/Phone/Email:

Mary Ann Fraley / Mayor / (406) 846 – 1226 / dlcity@bresnan.net

Whom does it serve? How many people does it serve? What is the minimum level of federal funding to move it forward?

Please feel free to include any additional materials (photos, charts, maps, etc.) that help to justify the project.

Additional Information for Defense Requests:

Appropriations Account (chose only one):

Military Personnel _____ O&M _____

Procurement (select one account):

- _____ Aircraft Procurement
- _____ Missile Procurement
- _____ Weapons Procurement (Navy)
- _____ Weapons and Tracked Combat Vehicles (Army)
- _____ Procurement of Ammunition
- _____ Shipbuilding & Conversion (Navy)
- _____ Other Procurement
- _____ Procurement (Marine Corps, Defense-Wide)
- _____ National Guard and Reserve Equipment
- _____ Defense Production Act

RDTE _____ Counter-Drugs _____ Other* _____

Service:

- _____ Army
- _____ Navy
- _____ Air Force
- _____ Marine Corps
- _____ Defense-Wide
- _____ Intelligence
- _____ Army Reserve
- _____ Army National Guard
- _____ Navy Reserve
- _____ Marine Corps Reserve
- _____ Air Force Reserve
- _____ Air National Guard

Project Identification:

<u>RDTE</u>	<u>Procurement</u>	<u>O&M and Personnel</u>	<u>Intel</u>
R-1 Line Number:	P-1 Line	Budget Activity	TIARRA/
PE#: _____	Number: _____	Number: _____	MIP _____

- RDT&E requests must have relevant Program Element and line numbers.
- Procurement requests must have line numbers.
- O&M requests must have Budget Activity numbers and subactivity group.

Additional Information:

- Include the contact name and telephone for the DoD Program Manager.
- Is this project included on the unfunded priority list?
- Where is the project in development? How long before it will be tested or fielded?

Previous Federal Appropriations History: Should be broken down by federal fiscal year, including for any prior years the bill, account, and House/Senate/Conference amounts. Only include actual funding, not unfunded requests. *The following format is helpful:*

LHHS, HHS, HRSA, FY 2005: House: \$A Senate: \$B Conference: \$C
LHHS, HHS, HRSA, FY 2003: House: \$X Senate: \$Y Conference: \$Z

County or Counties impacted by the project: List the areas of the state impacted by this project.

Grantee: The name or the local government or organization to receive the funding.

Local Contact: The individual in Montana that Senator Baucus' staff can contact with questions about the project.

Washington Contact: Washington representative and/or firm, if applicable.

Please submit completed forms to my Washington D.C. office or one of my state offices. If you have any questions or need assistance, please call Will Sehestedt in my Washington D.C. office at (202)224-6568 or e-mail him at Will Sehestedt@baucus.senate.gov or call John Lewis in my Helena office at 406-449-5480, john lewis@baucus.senate.gov.

Deer Lodge Wastewater Project STAG Application

Funding for FY 2010



Deer Lodge Wastewater Improvements STAG PROJECTS INFORMATION

1. Project Purpose and Description:

The City of Deer Lodge's wastewater treatment system is in dire need of repair and improvement to meet Montana Department of Environmental Quality (DEQ) discharge requirements and to promote a healthy and safe Clark Fork River. Some of the sewer pipes in town allow infiltration of groundwater into the system. We are beginning work this spring that will greatly reduce the amount of groundwater entering the system. This is the first phase of an overall upgrade of our wastewater system.

The major problems with the city's wastewater system are:

- Excessive groundwater infiltration into the wastewater collection system causes:
 - Dilute wastewater influent that limits the ability of the existing treatment lagoons to meet the BOD₅ and TSS percent removal requirements of the Secondary Treatment Standards.
 - High wastewater flows above the capacity of the effluent irrigation system so it is not possible to achieve zero discharge to the river in the summer months.
- The existing aerated lagoon treatment facility is not capable of treating to the ammonia levels necessary to meet anticipated effluent limits for year around discharge to the river when the discharge permit is renewed in November of 2011.

Other problems that may need to be addressed, depending on the selected alternative for ammonia treatment, include lagoon leakage, an old and almost worn out UV disinfection system, algae control, sludge accumulation and lack of influent monitoring capabilities to meet MPDES permit requirements effective January 1, 2010.

A brief section from our Priority List that describes the project:

Our project will rehabilitate up to 29,000 feet of sewer lines depending on funding, to reduce groundwater infiltration into the sewer system. Rehabilitation will include slip-lining of the majority of the lines, but will also include removing and replacing short sections of sewer line to correct offset joints, sags and damaged pipe not suitable for slip-lining. Based on video inspection, it is estimated that about 50 percent of the service connections will be excavated and service saddles installed. This is because the existing service connections do not have saddles and are not sealed properly. The following table summarizes the sewer lines and the projected range of infiltration reduction. Sources of infiltration and inflow to the collection system that will not be corrected include leaky service lines and sump pumps. The project also includes construction of an influent monitoring building at the wastewater treatment facility to house a flow meter and automatic sampler.

3. Service to a broad public purpose:

The project serves entirely a public purpose. The improvements to the wastewater system will benefit all the people of Deer Lodge as well as the many that enjoy the Clark Fork River. The proper treatment of our wastewater is a basic need for our health and the health of our environment. It is vital. This project is crucial to restoring and protecting a river that has been abused for well over a century.

4. Project serves an immediate need:

The project addresses an immediate need as Deer Lodge will not be able to meet DEQ discharge standards this year without it. We may be in noncompliance as early as this summer or at least by 2010.

Besides compliance with our current discharge permit we are trying to be proactive and work with the DEQ to create innovative and progressive solutions to our wastewater needs. Funding for this project will help us meet important Total Maximum Daily Load (TMDL) standards that are being developed by DEQ to protect the Clark Fork River.

The need for the infiltration reduction portion of the project is to address the MPDES discharge permit requirement to reduce infiltration so that the treatment lagoons can achieve 85% removal BOD per the discharge permit. Additionally, reducing the wastewater flow rates will make future treatment plant upgrades and disposal options (effluent irrigation) more economical. The need for the influent monitoring building is to comply with the MPDES permit requirement to monitor weekly for influent BOD, TSS and flow.

5. Construction to begin this year:

The requested funds will be used to move a project into construction, not debt relief. Deer Lodge has an aggressive, shovel-ready project that is scheduled to begin July 2009. We hope to maintain funding for the 2010 season to continue needed improvements to our wastewater system.

Proposed Phase 1 Funding Plan, 2010 - 2012

Sub Phase Number	Location	Estimated Total Project Cost	Construction Year	Funding Source	Reserve Fund Balance at Start of Project	Annual Amount to Reserve Fund ^{1,3}	Reserve Fund Balance at End of Project
1C	Rehabilitate Interceptor Sewer from Rainbow St. to Conley Ave. ¹	\$545,200	2010	Sewer Reserve or STAG	\$699,480	\$360,000	\$154,280
1D	Rehabilitate Outfall Sewer from Rainbow St. to Lagoons ²	\$1,322,000	2011	SRF Loan ²	\$514,280	\$360,000	\$192,280
1E	Rehabilitate Cottonwood Ave. sewer from West St. to Kohrs St.	\$343,000	2012	Sewer Reserve	\$452,280	\$260,000	\$109,280
Total		\$2,503,300					

Footnotes:

1. 2009 - 2011 annual amount to reserve fund based on the \$21/month rate increase and the current number of sewer users.
2. At year 2011, the SRF loan is based on a \$1,322,000 project cost paid for with \$322,000 of reserve funds and an SRF loan to finance the remaining \$1,000,000. Based on 3.75% interest and a 20-year term, the SRF loan will require a reserve fund commitment of \$8,300/month (\$99,600/year) to cover the cost of the loan. This is equivalent to \$5.70 per user per month.
3. From year 2011 to 2012 reserve funds accumulate at a rate of roughly \$285,000/year because of SRF loan payment.

The proposed funding plan for Phase 1 is a combination of sewer reserve funds and a loan from the Wastewater State Revolving Fund Program. Reserve funds for sewer line rehabilitation have been accumulating from a recently implemented three-phase, \$21/month sewer user rate increase. This phased rate increase began with a \$7/month increase in October of 2007. Sewer rates were increased another \$7/month in October of 2008. A third \$7/month rate increase is scheduled for October of 2009. The loan would be funded with revenue bonds paid for with monies from a portion of the \$21/month sewer user rate increase.

EXHIBIT ~~B~~ 22
DATE 3/12/09
NO 645

Child Development Center

With an unusually high percentage of students who are raising young families, a day care facility has been established as an important need on the MSU – Great Falls Campus. With a generous donation from Pacific Steel and Recycling of \$50,000, the College has taken the first steps into researching the programming, development and implementation of a campus childcare facility. This is a top priority of the campus in an attempt to continue removing the barriers our students face when looking to enter higher education, for in some instances child care can be such a large financial hurdle that one's academic and career goals are delayed, or never fully explored.

Estimated Total Cost: \$450,000

Simulated Hospital – Completion of the Day Light Basement at MSU – Great Falls

The most recent addition to the MSU – Great Falls' main facility (complete in early 2008) has a daylight basement comprising some 14,000 sf of unfinished or partially finished space. An identified project will complete that space, creating a simulated hospital and medical facility environment to accommodate the lab and clinical needs of our many healthcare programs. The technology infrastructure will allow the College to extend this simulated environment through a telemedicine network to rural communities in Northcentral Montana, thereby benefiting the healthcare workforce needs of smaller hospitals and facilities in the state. MSU – Great Falls offers more healthcare related programs than any college in Montana and the funds to finish this facility will allow for a realized use of an already constructed building, but will most importantly advance crucial healthcare workforce development through the state.

Estimated Total Cost: \$2,500,000

MSU College of Technology

Simulated Hospital Lab

1/30/2009

Preliminary Estimate

Simulation Lab area 7,680 SF

Corridor Remodel 2,020 SF

Description:

Instructional Class room, New Simulations Lab's: Emergency Room, Operating/Surgical Room, Intensive Care Unit, Universal Patient Room, Home Care Environment, Ambulance, Office, Stg. A/V Rm., Student Lockers, Rest Rooms. Also includes corridor finish out and stairs. No Equipment or furnishings included.

REMODEL BUILDING COST BREAKDOWN:

Remodel SF

10,700

DIV	Description	Qty.	Unit Cost					
1	General Conditions:	1 LS @	\$40,000.00 LS =	\$40,000.00				
					Div. Sub	\$40,000.00	<u>\$3.74</u> / SF	
2A.	Demolition:							
	Floor Slabs Removal / disposal	500 LF @	\$7.00 LF =	\$3,500.00				
					Div. Sub	\$3,500.00	<u>\$0.33</u> / SF	
2B.	Sitework	0 LS @	\$0.00 LS =	\$0.00				
					Div. Sub	\$0.00	<u>\$0.00</u> / SF	
3	5" Concrete Slab Replacement:	1,500 SF @	\$4.50 SF =	\$6,750.00				
					Div. Sub	\$6,750.00	<u>\$0.63</u> / SF	
4	Masonry:	7,680 LS @	\$4.00 LS =	\$30,720.00				
					Div. Sub	\$30,720.00	<u>\$2.87</u> / SF	
5	Metals: Misc	1 LS @	\$2,000.00 LS =	\$2,000.00				
	New Stairs from Atrium	1 LS @	\$7,500.00 LS =	\$7,500.00				
	Equipment Support Framing	7,680 SF @	\$0.75 SF =	\$5,760.00				
					Div. Sub	\$15,260.00	<u>\$1.43</u> / SF	
6	Rough Carpentry:							
	Framing / Drywall / Tape	10,700 SF @	\$10.50 SF =	\$112,350.00				
					Div. Sub	\$112,350.00	<u>\$10.50</u> / SF	
7	Insulation (Sound)	7,680 SF @	\$0.57 SF =	\$4,377.60				
					Div. Sub	\$4,377.60	<u>\$0.41</u> / SF	

MSU College of Technology

Simulated Hospital Lab

1/30/2009

8	Doors, Windows frames/slabs	14 EA	@	\$750.00 EA	=	\$10,500.00		
	Specialty Doors, Hardware	1 LS	@	\$20,000.00 LS	=	\$20,000.00		
							Div. Sub	\$30,500.00 <u>\$2.85</u> / SF
9	Finishes:							
	Cabinets, Counters	102 LF	@	\$450.00 LF	=	\$45,900.00		
	Wall Paint/ covers	10,700 SF	@	\$2.25 SF	=	\$24,075.00		
	Ceilings	10,700 SF	@	\$3.50 SF	=	\$37,450.00		
	Floor treatments	10,700 SF	@	\$5.25 SF	=	\$56,175.00		
							Div. Sub	\$163,600.00 <u>\$15.29</u> / SF
10	Specialties: Misc.	1 LS	@	\$1,500.00 LS	=	\$1,500.00		
	Eye wash	1 EA	@	\$600.00 EA	=	\$600.00		
	Lockers	50 EA	@	\$150.00 EA	=	\$7,500.00		
	Act. Folding Partition	65 LF	@	\$400.00 LF	=	\$26,000.00		
	FEC Cabinets	4 EA	@	\$500.00 EA	=	\$2,000.00		
	Ambulance mock-up install	1 LS	@	\$8,500.00 LS	=	\$8,500.00		
	Hspt. Cubical Curtains	350 LF	@	\$20.00 LF	=	\$7,000.00		
	Rest Room Accessories	1 LS	@	\$30,000.00 LS	=	\$30,000.00		
							Div. Sub	\$83,100.00 <u>\$7.77</u> / SF
15.1	Mechanical: General							
	HVAC	7,680 SF	@	\$5.25 SF	=	\$40,320.00		
	Exhaust System	7,680 SF	@	\$2.50 SF	=	\$19,200.00		
	Med Gas Mock-up	1 LS	@	\$4,000.00 LS	=	\$4,000.00		
	Fire Sprinkler Mods	10,700 SF	@	\$2.00 SF	=	\$21,400.00		
	Controls	1 LS	@	\$5,000.00 LS	=	\$5,000.00		
							Div. Sub	\$89,920.00 <u>\$8.40</u> / SF
15.2	Plumbing: General							
	Fixtures (Normal)	24 EA	@	\$1,750.00 EA	=	\$42,000.00		
	Simulated WC, Surg. Lavs (operational)	12 EA	@	\$3,200.00 EA	=	\$38,400.00		
	Supply, Waste, Vent	7,680 SF	@	\$1.10 SF	=	\$8,448.00		
							Div. Sub	\$88,848.00 <u>\$8.30</u> / SF

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1/30/2009

\$76,800.00

\$20.33 / SF

\$82.85 / SF

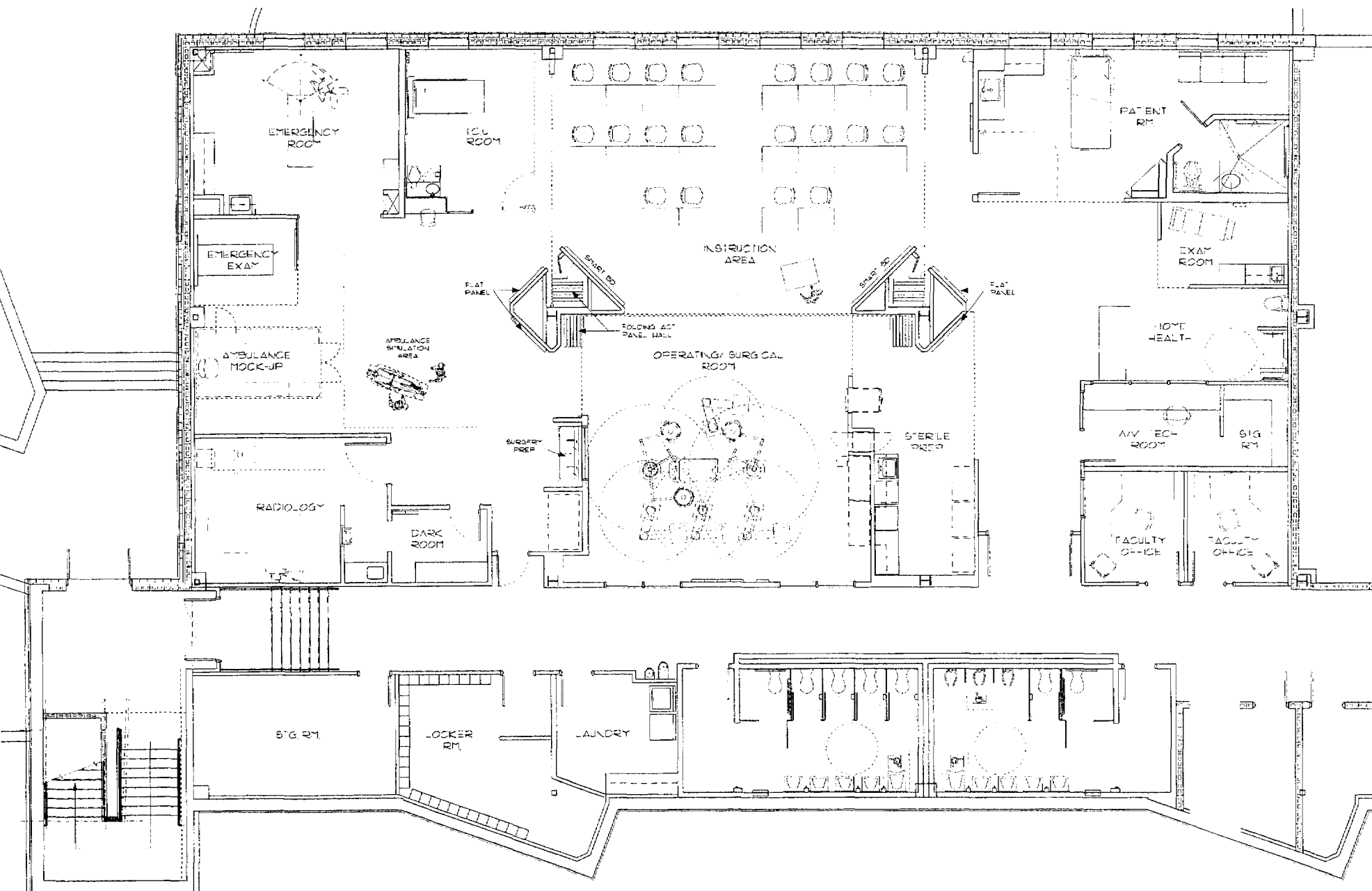
\$44,323.28

Sub Total: 11

\$5,097.18

Sub Total: III

\$103.75 / SF



2

MSU College of Great Falls
Child Care Facility
3/11/2009



D. Design Fee

A/E FEE (A/M/P/E/S/L/FP) 8.0% \$ 105,067
Estimated Reimbursable 0.3% \$ 3,283

SUB TOTAL (D) \$ 108,351 LS \$ 15.80 SF

E. Misc

Building Permit	1 LS	@ \$	2,750 LS
Plan Review Fee	1 LS	@ \$	1,750 LS
Legal	1 LS	@ \$	5,000 LS
Kitchen Appliances (Residential Type)	1 LS	@ \$	5,000 LS
Play Ground Structures (Allowance)	1 LS	@ \$	30,000 LS
Moving Costs	1 LS	@ \$	5,000 LS
Misc	1 LS	@ \$	15,000 LS
Furnishings Allowance	1 LS	@ \$	10,000 LS

SUB TOTAL (E) \$ 74,500 \$ 10.86 SF

TOTAL PROJECT ESTIMATE \$ 1,496,191 LS \$ 218.11 SF

Notes, Estimate based on 2009 construction

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MSU College of Great Falls
Child Care Facility
3/11/2009



B. Site Development Allowances

Child Drop-off / Pick-up	1500 SF @ \$	18 SF = \$	27,000
On Site Employee (Existing Lot)	0 ST @ \$	2,150 ST = \$	-
On Visitor Parking (Existing Lot)	0 ST @ \$	2,150 ST = \$	-
Utilities to Building (75')	1 LS @ \$	35,000 LS = \$	35,000
Exterior Fenced "Soft Play Area"	3000 SF @ \$	8 SF = \$	24,000
Exterior Fenced "Hard Play Area"	3000 SF @ \$	16 SF = \$	48,000
Play Structures (See below)	0 LS @ \$	15,000 LS = \$	-
Landscape	1500 SF @ \$	6.0 SF = \$	9,000
Irrigation	1500 SF @ \$	1.5 SF = \$	2,250
Flatwork	1000 SF @ \$	3.0 SF = \$	3,000

SUBTOTAL B \$ 148,250 LS \$ 9.88 SF

C. Building Allowances

ADMIN / COMMON AREA

Entry / Control Access - Vestibule	50 SF @ \$	100 SF = \$	5,000
Reception, Check in/out	100 SF @ \$	110 SF = \$	11,000
Admin Office Area	400 SF @ \$	90 SF = \$	36,000
Public Unisex TLT	60 SF @ \$	150 SF = \$	9,000
Isolation Room	60 SF @ \$	150 SF = \$	9,000
Kitchen Area / Food Storage	180 SF @ \$	150 SF = \$	27,000
Staff Break and Restroom Facilities	125 SF @ \$	150 SF = \$	18,750
Supply Storage	150 SF @ \$	90 SF = \$	13,500
Exterior Play Storage	80 SF @ \$	90 SF = \$	7,200
	1,205 SF		\$ 136,450

CHILD INSTRUCTION AREA

Infant Area's	760 SF @ \$	150 SF = \$	114,000
Toddler Area's	730 SF @ \$	150 SF = \$	109,500
2 to 3 Year Old Area's	840 SF @ \$	150 SF = \$	126,000
3 Year Old Area's	840 SF @ \$	150 SF = \$	126,000
4 & 5 Year Old Area's	840 SF @ \$	150 SF = \$	126,000
Multi-purpose Room	750 SF @ \$	135 SF = \$	101,250
	4,760 SF		\$ 702,750

Circulation / Mech/ Elec

	895 SF @ \$	170 SF = \$	152,108
	6,860 SF		\$ 152,108

SUBTOTAL C \$ 991,308 LS \$ 144.51 SF

TOTAL (A+B+C) \$ 1,139,558

BUILDING CONTINGENCY 15%	\$ 170,934
CONSTRUCTION TESTING 0.3%	\$ 2,849

SUB w/ CONTINGENCY \$ 1,313,340 LS \$ 191.46 SF

257

MSU College of Great Falls
Child Care Facility
3/11/2009



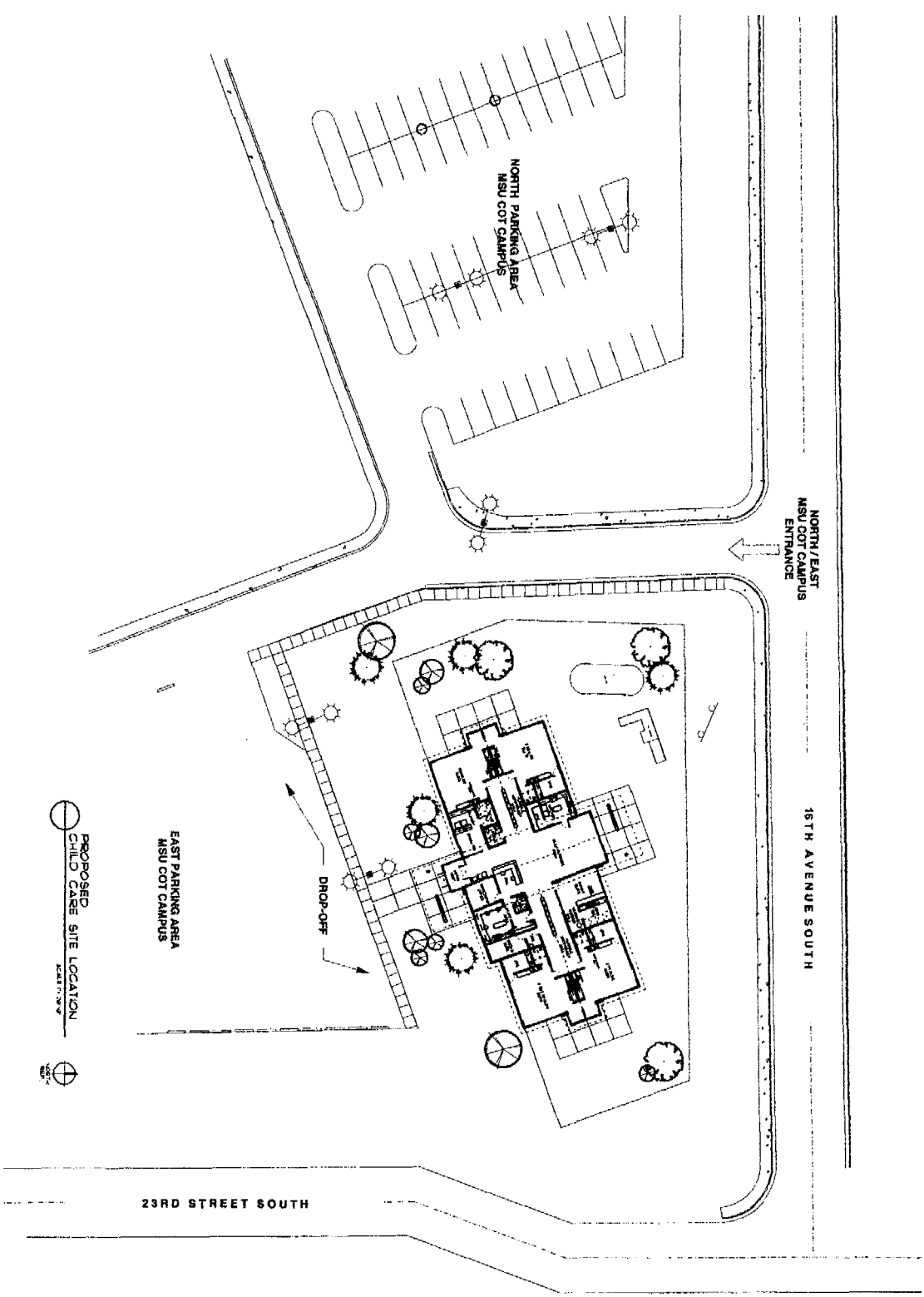
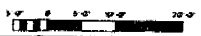
MSU COT - New Child Care Facility
30 Child Program

PRELIMINARY PROGRAM					
		UNIT/SF		TOTAL	
Entry / Control Access - Vestibule	1 @	50	SF =	50 SF	
Reception, Check in/out	1 @	100	SF =	100 SF	
Admin Office Area	4 @	100	SF =	400 SF	
Public Unisex TLT	1 @	60	SF =	60 SF	
Isolation Room	1 @	60	SF =	60 SF	
Infant Room	1 @	400	SF =	400 SF	
Infant Crib / Quite Sleeping Area	1 @	200	SF =	200 SF	
Infant Diaper Change Area	1 @	100	SF =	100 SF	
Infant Prep / Storage Rm.	1 @	60	SF =	60 SF	
Toddler Room	1 @	550	SF =	550 SF	
Toddler Diaper Change Area	1 @	100	SF =	100 SF	
Toddler Prep / Storage Rm.	1 @	80	SF =	80 SF	
2 to 3 Year Old Classroom	1 @	600	SF =	600 SF	
2 to 3 Year Old Tlt Rooms	2 @	80	SF =	160 SF	
2 to 3 Year Old Prep / Storage Rm.	1 @	80	SF =	80 SF	
3 Year Old Classroom	1 @	600	SF =	600 SF	
3 Year Old Tlt Rooms	2 @	80	SF =	160 SF	
3 Year Old Prep / Storage Rm.	1 @	80	SF =	80 SF	
4 & 5 Year Old Classroom	1 @	600	SF =	600 SF	
4 & 5 Year Old Tlt Rooms	2 @	80	SF =	160 SF	
4 & 5 Year Old Prep / Storage Rm.	1 @	80	SF =	80 SF	
Multi-purpose Room	1 @	750	SF =	750 SF	
Kitchen Area / Food Storage	1 @	180	SF =	180 SF	
Staff Break and Restroom Facilities	1 @	125	SF =	125 SF	
Supply Storage	1 @	150	SF =	150 SF	
Exterior Play Storage	2 @	40	SF =	80 SF	
SUB TOTAL NET AREA				5,965 SF	
Circulation/ Mech	15%		=	895 SF	
Total				6,860 SF	
Program Efficiency	30 CHILD		PER	229 SF / Child	

	COST/SF	TOTAL
A. Land Acquisition Allowance		
Land Purchase	15000 SF @	\$0.0 SF = \$ -
Developed site at North / West corner of MSU		
SUBTOTAL A		\$ - LS \$ - SF

258

[illegible]



NOT FOR CONSTRUCTION

SHEET C100 OF 2		CHECKED BY: JTB DATE: 10/20/2010 DRAWN BY: JTB DATE: 10/20/2010 TITLE: PRELIMINARY DESIGN	PRELIMINARY DESIGN	MSU College of Technology 30 Child Care Facility	REVISIONS <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>								

250

Testimony of Ray Wahlert, President and CEO of Pacific Steel and Recycling

EXHIBIT # 22
DATE 3/12/09
645

March 12, 2009

On behalf of the employee owners of Pacific Steel and Recycling, please accept this statement in support of the efforts to fund and construct a Child Development Center on the campus of MSU – Great Falls.

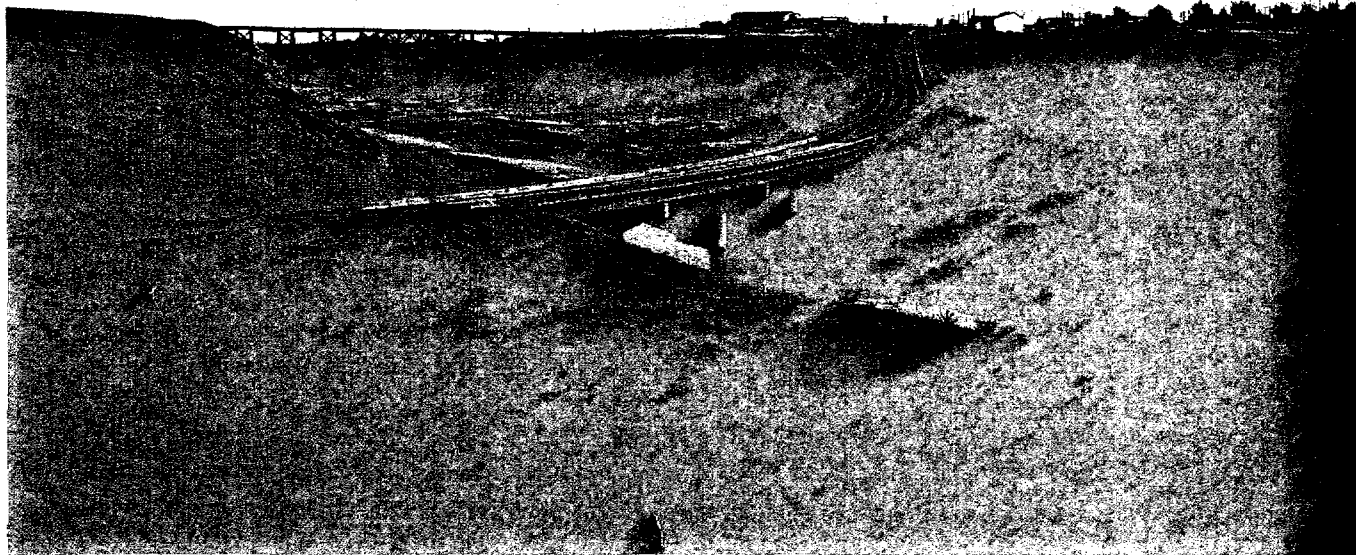
In August 2008, Pacific Steel and Recycling contributed \$50,000 to MSU – Great Falls for the development of this project. As a corporation that operates throughout the Northwest, we strongly believe in making investments in those communities where we do business by donating funds to important initiatives like this. We believe through these contributions we can help advance so many projects that have the prospect of positively impacting the lives of others. The Child Development Center at MSU – Great Falls will do just that. It will impact the lives of student-parents, especially those who are single parents, by ensuring safe and convenient childcare is accessible for those who wish to pursue their educational and career goals. However, far too often the cost of childcare rivals that of tuition. The establishment of this center is aimed at easing this challenge.

We respectfully urge the Montana Legislature to join us in funding this project. Together, we can advance opportunities for all those students and families who wish to better themselves through higher education. Thank you for your time.

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American Recovery and Reinvestment Act (ARRA) of 2009 – TRANSPORTATION INFRASTRUCTURE

EX-101 23
DATE 3/12/09
NO. 645



Montana Dept. of Transportation

March 12, 2009

248

Purposes Of Legislation

RECOVERY

- **Maintain and create jobs**
- **Infuse cash into cash strapped state programs**
- **Encourage flow of money into the economy through tax cuts and other incentives for individuals and organizations**

REINVEST

- **Build and repair infrastructure**

Transparency of MDT Efforts to Date

Jan 16: *\$1.5 billion Candidate Project List posted on web for federally required 30-day public involvement*

Feb 12: *Commission Meeting – Discussed \$1.5 billion list – Commission directed staff to refine*

Feb 17: *Refined list to \$440 million – provided to Budget Subcommittee*

Feb 20: *Commission Meeting, including Legislative Appropriations committees*

Feb 27: *Commission Meeting - \$234 million & \$440 lists discussed & posted on web*

Mar 4: *Commission Meeting – Approval of Candidate List*

Mar 6: *STIP Amendment-Phase I approved by FHWA & posted on MDT website*

Coordination w/ MPO's & Tribal Governments throughout

Transparency of MDT Efforts to Date

Projects already in MDT's Program

- **Consistent with performance goals of MDT's award winning asset management system**
- **Commission Approved**
- **Already through public involvement, & significant progress on environmental, right-of-way, and design**

ARRA Transportation Funding Overview

SECTION	FUNDING TYPE	\$ AMOUNT PER ACT	ESTIMATED \$ FOR MONTANA
Highways	Formula Grants	\$27.5 billion	\$211 million
Highways	Discretionary	\$1.5 billion	Competitive
Transit	Urbanized Areas Billings: Great Falls: Missoula:	\$5.97 billion	\$4.3 million - \$1.8 million - \$1.2 million - \$1.2 million
Transit	Rural General Public	\$760 million	\$11.2 million

Project Timetables to Drive Recovery:

Highways: \$211 million

Highway Infrastructure Timeframes:

- **50% within 120 days of federal apportionment (June 17, 2009)**
- **Remainder within 1-year of enactment (February 17, 2010)**
- **Redistributed funds through Sept. 30, 2010 (funds not meeting above timeframes)**

the

Project Conditions to Drive Recovery:

Highways - \$211 million

Eligible Projects:

- **Surface Transportation Program eligibilities:**
Examples: Highways and Bridge, Highways Safety Projects, Bicycle/Pedestrian Improvements

Eligible Recipients:

- **State DOTs, MPOs greater than 200,000 population**

Priority Projects:

- **Expected completion within 3-years of ARRA enactment**
- **Located in economically distressed areas**
- **Project delivery (50% by 6/17/2009 and Remainder by 2/17/2010)**
- **Job creation/savings & other economic benefits**

Project Timetables to Drive Recovery:

Transit: \$15.5 million

Transit Infrastructure Timeframes:

- **50% within 180 days of federal apportionment (August 17, 2009)**
- **Remainder within 1-year of enactment (February 17, 2010)**
- **Redistributed funds through Sept. 30, 2010**
(funds not meeting above timeframes)

Federal Oversight-All Recovery Projects: Certifications

Section 1511: Transparency & Oversight

- Due before States can receive ARRA infrastructure funding

Section 1201: Maintenance of Effort

- Due March 19, 2009 (30-days following enactment)

Section 1607: Appropriate Use of Funds

- Due April 3, 2009 (45-days following enactment)

Federal Oversight-All Recovery Projects: Reporting

- **Agency Reports-MDT**
- **Reports posted on web and linked to www.Recovery.gov**
- **Congressional Budget Office & Government Accountability Office Reports**
- **Reports by Council of Economic Advisors**

Additional Federal Oversight- All Recovery Projects

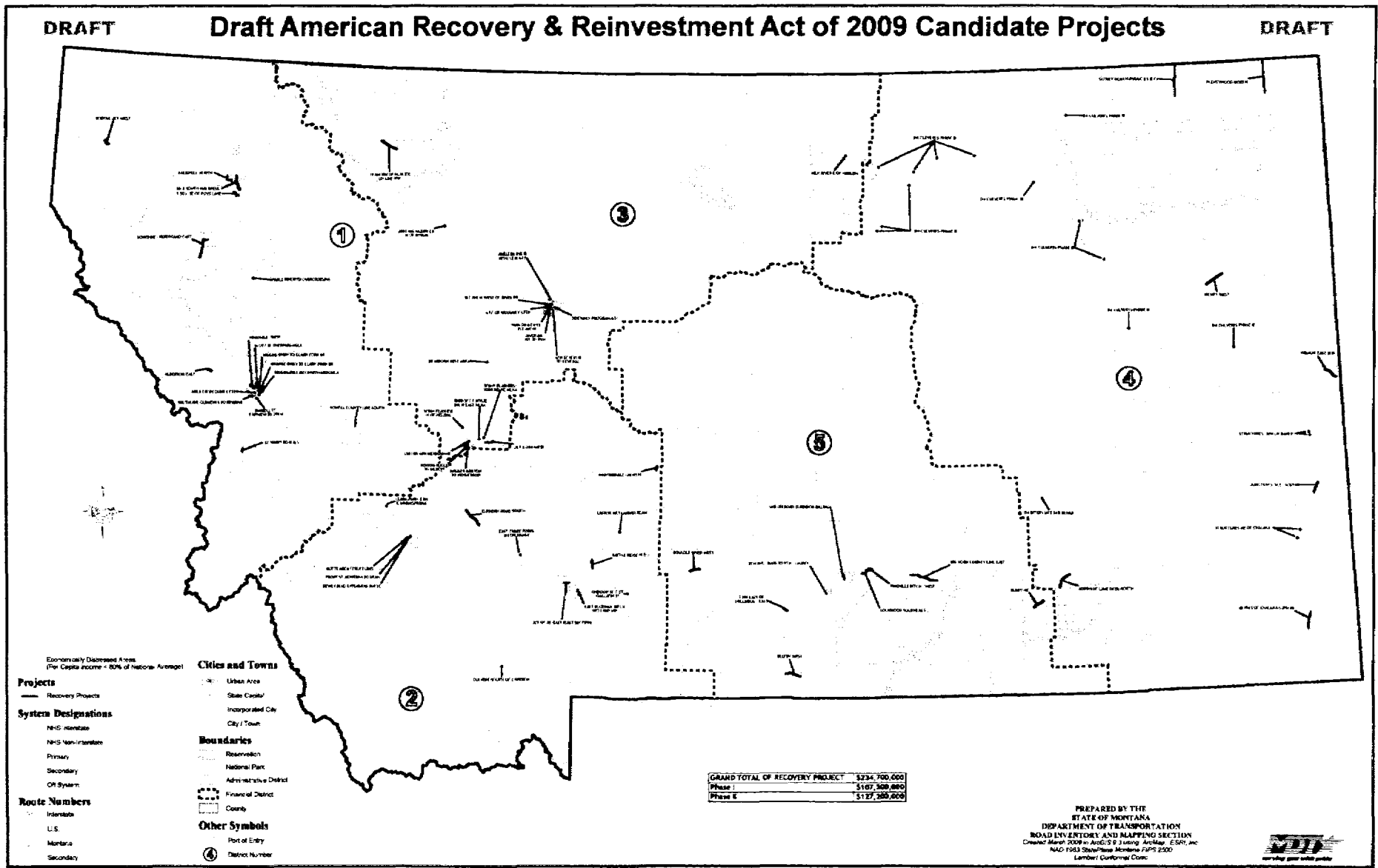
- **Inspector General Reviews**
- **Access to Records & Employees:** by inspector general
- **Federal Recovery Accountability & Transparency Board**
- **Federal Recovery Independent Advisory Panel:** fraud, waste & abuse

2004

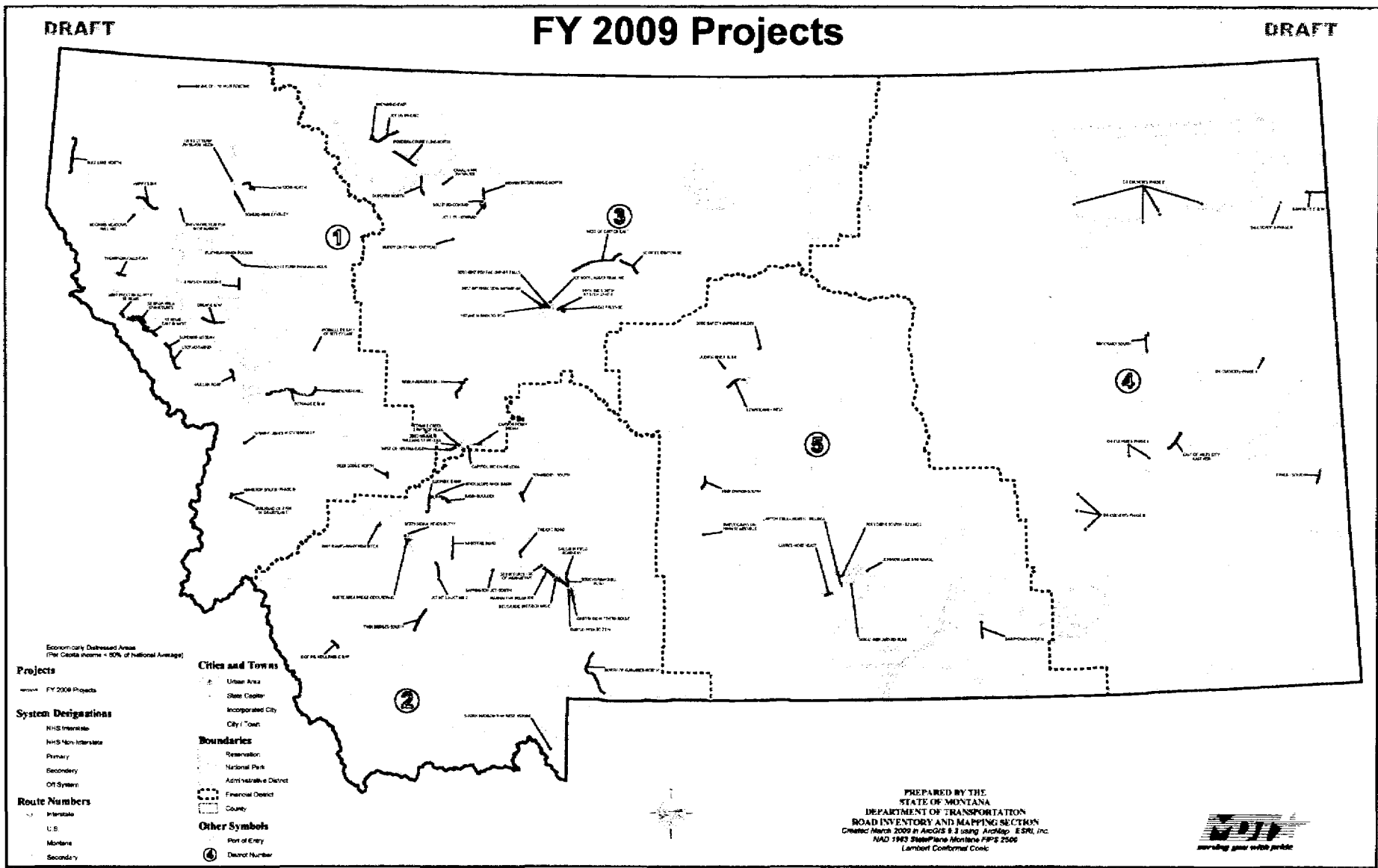
Summary of MDT Project List

- 69 candidate projects @ \$234 Million
- Projects include resurfacing to reconstructs
- Considerations for urban, rural & tribal projects
 - Urban - approximately \$75 million
 - Includes Transportation Enhancements - over \$6 million
 - Rural - over \$159 million
 - Includes Tribal - approximately \$39 million
- Considerations for geographic distribution, economically distressed areas, jobs created or sustained, project delivery

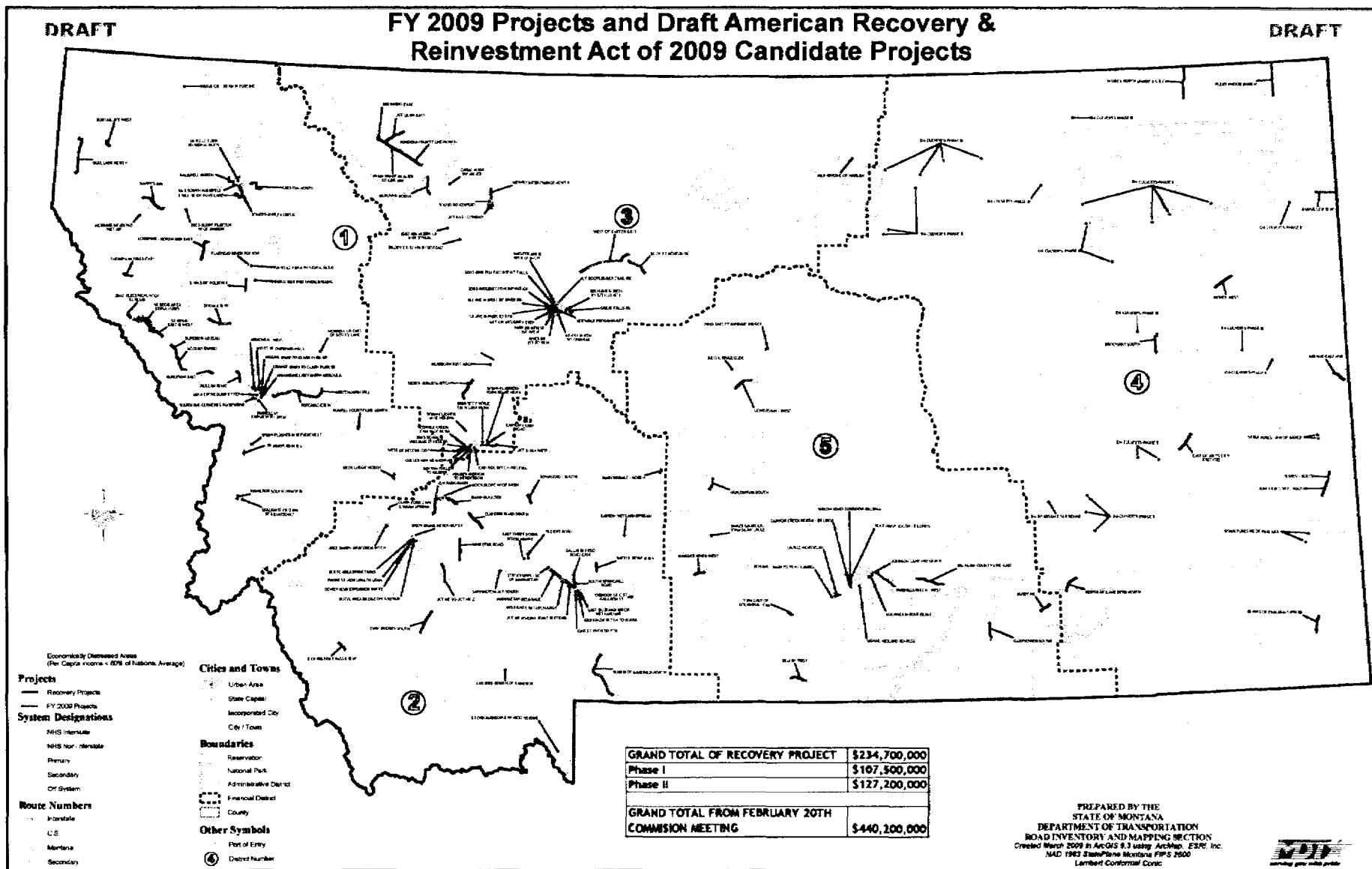
Candidate Recovery Projects



FY 2009 Program Projects



FY 2009 Program & Candidate Recovery Projects



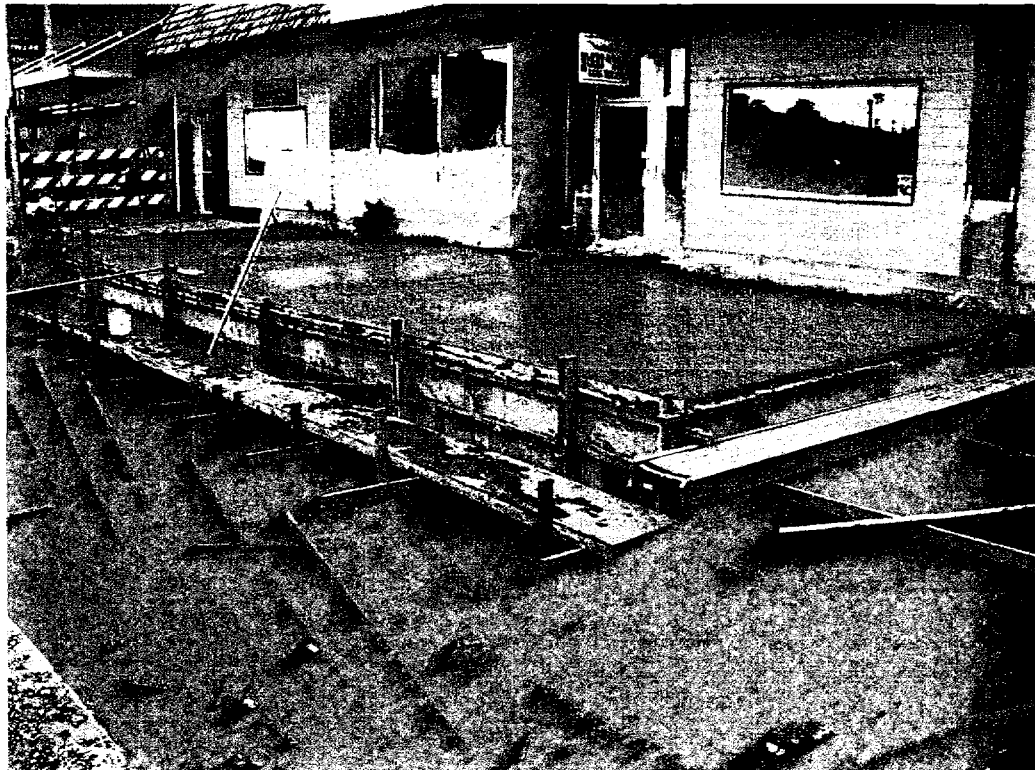
MDT Anticipated Bid Lettings

LETTING DATE	REGULAR FFY 2009 LETTINGS	RECOVERY PROJECTS FIRST 50 %	TOTAL FOR LETTING
LETTINGS TO DATE	\$91,200,000		\$91,200,000
26-Mar	4,211,000	12,690,000	16,901,000
9-Apr	42,544,000	2,501,000	45,045,000
23-Apr	14,290,000	9,882,000	24,172,000
14-May	15,045,000	16,479,000	31,524,000
28-May	24,730,000	31,350,000	56,080,000
11-Jun	12,726,000	19,157,000	31,883,000
25-Jun	1,835,000	7,314,000	9,149,000
16-Jul	537,000	9,987,000	10,524,000
30-Jul	1,874,000	2,400,000	4,274,000
TOTALS	\$208,992,000	\$106,760,000	\$315,752,000
REMAINING TO BID	\$21,741,000	\$105,033,000	\$126,774,000

207

Summary

- Recovery Dollars won't wait for projects
- Use it or Lose it!



MDT CANDIDATE LIST
FOR
RECOVERY PROJECTS

3-2-2009

DRAFT

DRAFT

Eligibility Consideration for American Recovery and Reinvestment Act (ARRA) Candidate List include:

Eligible under Title 23 USC

Projects already under MDT development

Limited outstanding project development issues (R/W, design, etc)

Consideration for projects in Economically Distressed Areas, completion within 3-years, and Transportation Enhancement requirements. Urban & Reservation projects noted

Obligated within ARRA time frames: 50% in 120-days, remainder within 1 year of enactment

Public process complete and environmental document complete or nearly complete

ARRA funding level constraints

23
DATE 3/12/09
645

Dist	PROJECT ID	LOCATION	PPMS Scope	Urban	Reservation	Est Cost (\$ MILL)	PHASE	Est. Jobs**
1	CM-STPU 8109(1)	SCOTT ST OVERPASS-MSLA	BRIDGE REHAB	U		2,600,000	Phase I	72
1	STPS 260-1(4)0	BOBTAIL JCT-WEST	CHIP SEAL			200,000	Phase I	6
1	STPS 424-1(7)1	KALISPELL-NORTH	CHIP SEAL			300,000	Phase I	8
1	STPS 503-1(9)5	S-503: SE OF FOYS LAKE	CHIP SEAL			200,000	Phase I	6
1	STPS 271-1(9)5	POWELL COUNTY LINE-SOUTH	CHIP SEAL			100,000	Phase I	3
1	STPS 507-1(7)0	ALBERTON-EAST	Mill/Fill			800,000	Phase I	22
1	SFCX 32758(10)	Missoula - West	Seal and Cover	U		300,000	Phase I	8
1	STPU-CM-STPE 8117(3)	HIGGINS/HILL/BECKWITH-MISSOULA	INT UPGRADE/SIGNALS	U		900,000	Phase I	25
1	UPP 8120(4)	SOUTH AVE-CLEMENTS TO RESERVE	MILL & FILL	U		1,100,000	Phase I	31
1	UPP 8105(13)	RUSSELL ST - FAIRVIEW TO 39TH	MILL & FILL	U		200,000	Phase I	6
1	UPP 8113(5)	HIGGINS-BWAY TO CLARK FORK BR	MILL & FILL	U		200,000	Phase I	6
1	UPP 8107(18)	ORANGE-BWAY TO CLARK FORK BR	MILL & FILL	U		100,000	Phase I	3
1	NH 7-1(118)64	ST MARYS RD - N&S	RECONSTRUCTION			7,800,000	Phase I	217
1	STPP-F 35-1(4)26	LONEPINE - NORTH AND EAST*	RECONSTRUCTION		R	12,500,000	Phase II	348
1	NH 5-2(151)52	PABLO BIKE/PED OVERCROSSING	BIKE/PED FACILITIES		R	2,300,000	Phase II	64
1	NH-MT 5-3(59)109 F	US 2 SOUTH-KALISPELL*	RECONSTRUCTION	U		16,400,000	Phase II	456
1	MSLA City/County CTEP	Will work with community to identify specific projects		U		2,400,000	Phase I	67
Total District 1						48,400,000		
Phase I						17,200,000		
Phase II						31,200,000		
Total Estimated Jobs**						1,346		

*Projects will also receive earmark funding

** Estimated Job supported based on 28 jobs per \$1 million of transportation investment. Source FHWA 2007.

REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE

1	IM 90-1(165)45	SUPERIOR AREA STRUCTURES	BRIDGE REHAB			6,900,000	Phase I	192
1	IM 90-1(176)44	SUPERIOR-WEST	CHIP SEAL			700,000	Phase I	19
1	IM 0002(803)	LOTHROP-BEARMOUTH STRUCTURES	BRIDGE REHAB			3,300,000	Phase II	92
1	HSIP 317-1(12)4	SF069-CONRAD DR/SHADY LN-KAL	INT IMPROVEMENTS			100,000	Phase II	3
1	SFCN	Kalispell - East	Mill & Fill	U		1,800,000	Phase I	50
1	NH 7-1(52)49 F	VICTOR URBAN - NORTH	RECONSTRUCTION			2,300,000	Phase II	64
1	NH-MT 5-3(59)109 F	HUTTON RANCH PLAZA - KALISPELL	BYPASS R/W PURCHASE	U		600,000	Phase II	17
1	NH-MT 5-3(59)109 F	RESERVE DRIVE SOUTH-KALISPELL	RECONSTRUCTION	U		2,500,000	Phase II	70
1	HSIP 317-1(10)3	SF069-CONRAD DR-E OF KALISPELL	RECONSTRUCTION			300,000	Phase II	8
1	STPHS 292-1(2)3	2001-SFTY IMP-5 KM N KALISPELL	RECONSTRUCTION			400,000	Phase II	11
1	NH 7-1(53)61 F	BELL CROSSING - N&S	RECONSTRUCTION			8,100,000	Phase II	225
1	NH 7-1(117)62	INDIAN PRAIRIE LOOP - N&S	RECONSTRUCTION			7,500,000	Phase I	209
Total District 1						34,500,000		
Total Estimated Jobs**						959		

This list contains projects from MDT's current program that are candidates for economic recovery funding. The ability to fund all projects on this list with economic recovery funding is dependent on actual project costs and funding available to MDT through the American Recovery and Reinvestment Act of 2009 (ARRA). Additional candidate projects have been identified to ensure that all the ARRA funds will be fully utilized to meet obligation deadline requirements and other conditions.

309

**MDT CANDIDATE LIST
FOR
RECOVERY PROJECTS**

3-2-2009

DRAFT**DRAFT****Eligibility Consideration for American Recovery and Reinvestment Act (ARRA) Candidate List Include :**

Eligible under Title 23 USC

Obligated within ARRA time frames: 50% in 120-days, remainder within 1 year of enactment

Projects already under MDT development

Public process complete and environmental document complete or nearly complete

Limited outstanding project development issues (R/W, design, etc)

ARRA funding level constraints

Consideration for projects in Economically Distressed Areas, completion within 3-years, and Transportation Enhancement requirements. Urban & Reservation projects noted.

Dist	PROJECT ID	LOCATION	PPMS Scope	Urban	Reservation	Est Cost (\$ MILL)	PHASE	Est. Jobs**
2	STPP 86-1(39)16	BATTLE RIDGE-N&S	CHIP SEAL			1,200,000	Phase I	33
2	UPP 7406(6)	CHINOOK ST-C ST-GALLATIN ST	MILL & FILL	U		200,000	Phase I	6
2	STPX 16(57)	EAST BOZEMAN INTCH WETLAND MIT	WETLANDS			300,000	Phase I	8
2	STPX 34(14)	EASTON WETLAND/STREAM	WETLANDS			400,000	Phase I	11
2	UPP 1806(7)	FRONT ST-MONTANA TO UTAH	MILL & FILL	U		700,000	Phase I	19
2	BR 9012(12)	CLARK FORK-2 KM E WARM SPRINGS	BRIDGE REPLACEMENT			600,000	Phase II	17
2	STPS 235-1(8)0	JCT MT 85 - EAST East Section	RECONSTRUCTION			6,500,000	Phase II	181
2	STPP 69-1(9)22	ELKHORN ROAD-SOUTH	REHAB - MAJOR			9,500,000	Phase II	264
2	IM-IBRC 15-2(75)125	BUTTE AREA STRUCTURES	BRIDGE REPLACEMENT	U		9,700,000	Phase II	270
2	STPU-CM 1899(17)	DEWEY BLVD EXTENSION-BUTTE	RECONSTRUCTION	U		3,000,000	Phase II	83
2	IM-STPHS 90-6(84)278	EAST THREE FORKS INTERCHANGE	SAFETY			6,200,000	Phase II	172
2	STPS 294-1(7)27	MARTINDALE - NORTH	RECONSTRUCTION			5,200,000	Phase II	145
2	STPP 13-1(44)37	CULVERT-SOUTH OF CAMERON	CULVERT			200,000	Phase II	6
Total District 2						43,700,000		
Phase I						2,800,000		
Phase II						40,900,000		
Total Estimated Jobs**						1,215		
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE								
2	IM 0002(447)	MRL STRUCTURES-BOZEMAN	BRIDGE REPLACEMENT	U		15,700,000	Phase II	436
2	STPP 29-4(23)87	GRAND/HARRISON AVE - BUTTE	RECONSTRUCTION	U		900,000	Phase II	25
2	STPP 29-4(25)87	HARRISON-AMHERST FRONT-BUTTE	RECONSTRUCTION	U		9,500,000	Phase II	264
2	STPP 11-1(50)53	LIVINGSTON-NE	REHAB	U		4,200,000	Phase II	117
2	STPS 235-1(8)0	JCT MT 85 - EAST West Section	RECONSTRUCTION			6,400,000	Phase II	178
Total District 2						36,700,000		
Total Estimated Jobs**						1,020		

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310

MDT CANDIDATE LIST
FOR
RECOVERY PROJECTS

3-2-2009

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Obligated within ARRA time frames: 50% in 120-days, remainder within 1 year of enactment

Public process complete and environmental document complete or nearly complete

ARRA funding level constraints

Dist	PROJECT ID	LOCATION	PPMS Scope	Urban	Reservation	Est Cost (\$ MILL)	PHASE	Est. Jobs**
3	BR 9003(30)	MILK RIVER-E OF HARLEM	BRIDGE REPLACEMENT		R	2,700,000	Phase I	75
3	STPHS 3-2(29)55	2002-BIG MUDDY CR-N OF BYNUM	BRIDGE REPLACEMENT			3,100,000	Phase I	86
3	UPP 5805(12)	BENTON-EUCLID TO GILBERT	MILL & FILL	U		400,000	Phase I	11
3	UPP 5210(17)	1ST AVE N-WEST OF RIVER DR	MILL & FILL	U		500,000	Phase I	14
3	UPP 5822(1)	HAUSER-BENTON TO HENDERSON	OVERLAY	U		600,000	Phase I	17
3	SFCU 5208(1)	Park Dr. - 6th St. - 1st Ave. N	OVERLAY	U		300,000	Phase I	8
3	UPP 5205(23)	RIVER DR-1ST TO 9TH	OVERLAY	U		600,000	Phase I	17
3	SFCU 5209(4)	6th Street N - 8th to Central	OVERLAY	U		300,000	Phase I	8
3	STPP 3-4(8)101	19 KM NW OF GLACIER CO LINE-NW	REHAB - MAJOR		R	12,800,000	Phase I	356
3	HSIP 279-1(12)4	SF069-FLASHER-N OF HELENA	SAFETY			50,000	Phase I	1
3	HSIP 280-1(18)5	SF069-FLASHERS-YORK RD-NE HLNA	SAFETY			50,000	Phase I	1
3	UPP 5802(11)	CUSTER-GRN MEADOW-MT	MILL & FILL	U		700,000	Phase I	19
3	STPS 430-1(5)1	JCT S-284-WEST	RECONSTRUCTION			13,500,000	Phase II	375
3	NH 101-1(3)2	SMELTER AVE & 10TH ST N-GTF	RECONSTRUCTION	U		2,700,000	Phase II	75
3	IM 15-4(88)240	DEARBORN REST AREA	REST AREA			4,700,000	Phase I	131
3	STPHS 25(37)	2000-SFTY-WY1.1E DR-N EAST HLNA	SAFETY			1,700,000	Phase II	47
3	CM 5299(49)	SIDEWALK PROGRAM-GTF PHASE 2	ADA SIDEWALK RAMPS	U		1,900,000	Phase I	53
3	CTEP	GTF City/County CTEP	BIKE/PED	U		1,000,000	Phase II	28
			Total District 3			47,600,000		
			Phase I			28,700,000		
			Phase II			18,900,000		
			Total Estimated Jobs**			1323		
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE								
3	BR 9003(37)	MILK RIVER - 7 KM W HARLEM	BRIDGE REPLACEMENT		R	2,400,000	Phase II	67
3	CM 5299(55)	2002 INT IMPVTS - GTF	INT IMPROVEMENTS	U		300,000	Phase II	8
3	IM 15-4(124)229	AUGUSTA INTERCHANGE -HARDY CREEK	RECONSTRUCTION			30,700,000	Phase II	853
3	HSIP 8-2(75)50	SF 089 Signal Jct 518	Traffic Signal + misc roadw			800,000	Phase II	22
			Total District 3			34,200,000		
			Total Estimated Jobs**			951		

This list contains projects from MDT's current program that are candidates for economic recovery funding. The ability to fund all projects on this list with economic recovery funding is dependent on actual project costs and funding available to MDT through the American Recovery and Reinvestment Act of 2009 (ARRA). Additional candidate projects have been identified to ensure that all the ARRA funds will be fully utilized to meet obligation deadline requirements and other conditions.

311

MDT CANDIDATE LIST
FOR
RECOVERY PROJECTS

5-2-2009

DRAFT**DRAFT****Eligibility Consideration for American Recovery and Reinvestment Act (ARRA) Candidate List Include :**

Eligible under Title 23 USC

Projects already under MDT development

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Obligated within ARRA time frames: 50% in 120-days, remainder within 1 year of enactment

Public process complete and environmental document complete or nearly complete

ARRA funding level constraints

Dist	PROJECT ID	LOCATION	PPMS Scope	Urban	Reservation	Est Cost (\$ MILL)	PHASE	Est. Jobs**
4	IM 94-3(56)88	D4-INTERSTATE STR REHAB	BRIDGE REHAB			4,000,000	Phase I	111
4	BR 27-1(8)2	STRUCTURES-NE OF EKALAKA	BRIDGE REPLACEMENT			2,200,000	Phase I	61
4	BR 9013(14)	STRUCTURES - NW OF BAKER	BRIDGE REPLACEMENT			800,000	Phase I	22
4	STPP 32-2(13)52	SCOBY - NORTH (PHASE II)	CHIP SEAL			400,000	Phase I	11
4	IM 94-7(27)244	WIBAUX-EAST (E8)	MILL & FILL			1,600,000	Phase I	44
4	NH 34-1(8)0	PLENTYWOOD-NORTH	OVERLAY			4,100,000	Phase I	114
4	STPP 51-2(3)19	RICHEY-WEST	OVERLAY			2,900,000	Phase I	81
4	STPP 39-1(38)4	NORTH OF LAME DEER-NORTH	OVERLAY - COLD MILL		R	1,900,000	Phase I	53
4	MT-PLH 323-1(27)25	40 KM S OF EKALAKA-S (PH III)*	RECONSTRUCTION			15,800,000	Phase I	439
4	NH-STPS-STPP 0002(837)	D4-CULVERTS-PHASE III	CULVERT			4,900,000	Phase II	136
4	STPP 27-2(19)24	JUNCTION S 322-SOUTH	RECONSTRUCTION			7,400,000	Phase II	206
Total District 4						46,000,000		
Phase I						33,700,000		
Phase II						12,300,000		
Total Estimated Jobs**						1,279		
REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE								
4	STPS 208-1(3)0	JCT US 191-WHITEWATER	RECONSTRUCTION			14,000,000	Phase II	389
4	NH 1-10(62)633	BIG MUDDY CREEK - WEST	RECONSTRUCTION		R	14,000,000	Phase II	389
4	NH 1-10(48)626	BROCKTON - EAST	RECONSTRUCTION		R	15,200,000	Phase II	423
Total District 4						43,200,000		
Total Estimated Jobs**						1,201		

This list contains projects from MDT's current program that are candidates for economic recovery funding. The ability to fund all projects on this list with economic recovery funding is dependent on actual project costs and funding available to MDT through the American Recovery and Reinvestment Act of 2009 (ARRA). Additional candidate projects have been identified to ensure that all the ARRA funds will be fully utilized to meet obligation deadline requirements and other conditions.

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**MDT CANDIDATE LIST
FOR
RECOVERY PROJECTS**

DRAFT**DRAFT****Eligibility Consideration for American Recovery and Reinvestment Act (ARRA) Candidate List Include:**

Eligible under Title 23 USC

Obligated within ARRA time frames: 50% in 120-days, remainder within 1 year of enactment

Projects already under MDT development

Public process complete and environmental document complete or nearly complete

Limited outstanding project development issues (R/W, design, etc)

ARRA funding level constraints

Consideration for projects in Economically Distressed Areas, completion within 3-years, and Transportation Enhancement requirements. Urban & Reservation projects noted.

Dist	PROJECT ID	LOCATION	PPMS Scope	Urban	Reservation	Est Cost (\$ MILL)	PHASE	Est. Jobs**
5	IM 90-7(88)364	BOULDER RIVER-WEST	MILL & FILL			4,400,000	Phase I	122
5	IM 90-9(94)473	BIG HORN COUNTY LINE-EAST	OVERLAY		R	5,900,000	Phase I	164
5	STPS 308-1(25)7	BELFRY-WEST	OVERLAY			1,800,000	Phase I	50
5	LPP 1028(3)	LOCKWOOD-SOUTHEAST	OVERLAY	U		500,000	Phase I	14
5	IM 90-8(156)453	PINEHILLS INTCH - WEST	OVERLAY - COLD MILL	U		2,200,000	Phase I	61
5	NH 37-1(32)27	BUSBY-NE	REHAB - MAJOR		R	3,300,000	Phase I	92
5	STPU 1031(2)	Canyon Creek	RECONSTRUCTION	U		7,000,000	Phase I	195
5	STPU 1031(2)	SHILOH ROAD CORRIDOR-BILLINGS*	RECONSTRUCTION	U		15,500,000	Phase II	431
5	STPU 6905(1)	8TH AVE - MAIN TO 9TH - LAUREL	RECONSTRUCTION	U		3,600,000	Phase II	100
5	STPS 421-1(3)6	7 KM EAST OF COLUMBUS - EAST	RECONSTRUCTION			4,800,000	Phase II	133

*Project will also receive earmark funding

** Estimated Job supported based on 28 jobs per \$1 million of transportation investment. Source FHWA 2007.

Total District 5**49,000,000****Phase I****25,100,000****Phase II****23,900,000****Total Estimated Jobs******1,362****REMAINING CANDIDATE PROJECTS FROM FEB. 20TH COMMISSION MEETING NOT INCLUDED ABOVE**

5	NH 4-1(40)26	BRIDGER-FROMBERG	MILL & FILL			2,400,000	Phase I	67
5	NH 37-1(30)33	BIG HORN CO LINE-SW	MILL & FILL		R	3,300,000	Phase I	92
5	IM 94-1(66)24	POMPEYS PILLAR-WACC INTCH	MILL & FILL			7,700,000	Phase I	214
5	IM 94-1(67)36	WACO INTCH-CUSTER	MILL & FILL			7,600,000	Phase I	211
5	STPP-F 78-2(5)30	ABSAROOKEE N & S	RECONSTRUCTION			18,800,000	Phase II	523
5	NH 63-1(8)14	JUDITH GAP	RECONSTRUCTION			6,900,000	Phase II	192
5	STPS 421-2(2)9	CARBON CO LINE - EAST	RECONSTRUCTION			4,200,000	Phase II	117
5	NH 14-3(19)101	HARLOWTON REST AREA	REST AREA			5,300,000	Phase II	147
5		I90 EB off/Zoo Drive	Traffic Signal	U		200,000	Phase II	8
5		I90 WB off/Zoo Drive	Traffic Signal	U		300,000	Phase II	8
5	STPX 56(56)	KINDSFATER WETLAND	WETLANDS			200,000	Phase II	6

Total District 5**56,900,000****Total Estimated Jobs******1,582****GRAND TOTAL OF RECOVERY PROJECT****234,700,000****Phase I****107,500,000****Phase II****127,200,000****Grand Total Estimated Recovery Jobs Supported****6,525****GRAND TOTAL OF PROJECTS NOT USED****205,500,000****GRAND TOTAL FROM FEBRUARY 20TH COMMISSION MEETING****440,200,000**

This list contains projects from MDT's current program that are candidates for economic recovery funding. The ability to fund all projects on this list with economic recovery funding is dependent on actual project costs and funding available to MDT through the American Recovery and Reinvestment Act of 2009 (ARRA). Additional candidate projects have been identified to ensure that all the ARRA funds will be fully utilized to meet obligation deadline requirements and other conditions.

EXHIBIT 24
DATE 3/12/09
HB 645

#73
DANIEL
#12

Rocky Boy Parker System Storage Project Summary

History – The existing water system serving the Rocky Boy Reservation consists of a mixture of small systems built over the past 35 years that have been connected by 4-inch and 6-inch mains. Recently, 10-inch mains have been added to improve the distribution system. The water system serves approximately 5000 people living on the Reservation in an area of 171 square miles. Water is scarce on the Reservation. The only source of water is several low producing wells located throughout the Reservation. During high water demands, small subsystems are shut off so the needs of the core system can be met. When this happens, these subsystems must rely on their storage facilities to meet their needs. Storage for daily demand fluctuations, emergency reserves, and fire flows are provided by 12 storage tanks ranging in size from 12,000 gallons to 218,000 gallons.

- ☐ **Problem** –
- ☐ There is inadequate storage in the upper pressure zones to supplement the water demands in the lower pressure zones
- ☐ The existing piping configuration does not allow water from upper pressure zones to flow to the lower zones in the most effective manner.
- ☐ **Proposed Solution** – The proposed project would:
- ☐ Construct a new 350,000 gallon storage tank (Parker Tank) in the upper pressure zone that can supply water to the lower pressure zones during high daily demand periods and provide a reserve volume for fire flow demands.
- ☐ Drill one new well to back-up the existing well that will pump into the new tank.
- ☐ Install piping, valves, and pressure reducing valves to allow water from the upper pressure zone (new Parker Tank) to flow into the lower pressure zones.
- ☐ Install SCADA controls to monitor the tank water level, control the pumps operation, and alert the operators to alarm conditions.
- ☐ **Estimated Cost** - \$1,269,000
- ☐ **Plans and Specifications** are complete and have been accepted by the Tribal Council. The project is ready to go to bid for construction

HB 645

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FORT PECK TRIBES
Assiniboine & Sioux

EXHIBIT 24
DATE 3/12/09
NO 645

March 02, 2009

Margarett H Campbell, Ed. D.
Representative House District 31
House Majority Leader
P.O. Box 200400
Helena, MT 59620-0400

Dear Representative Campbell:

The Fort Peck Tribes are aware of the extreme circumstances regarding the sewer lagoon located at Brockton [Roosevelt County], Montana. An emergency situation exists that includes sewer leakage, which also has the potential to contaminate the Missouri River. The Tribes strongly support the Town of Brockton's request for the amount of \$1,750,000 (of Stimulus Funds) to complete the lagoon project in compliance with all applicable government standards and regulations.

Thank you.

Sincerely,



A.T. Stafne
Tribal Chairman
Fort Peck Assiniboine and Sioux Tribes

25
DATE 3/12/09
645

FEDERAL STIMULUS FUNDING REQUEST
Great Falls Community Ice Foundation
11 March 2009

Rep Bland (#34)
Non-Profit

Background: The Great Falls Community Ice Foundation was formed in 2004 and was approved by the IRS as a federal 501(c)(3) non-profit organization in February 2005. Since our inception, we have raised \$930,000 via donations from 80 businesses, 40 organizations, and 240 individuals. This total includes a grant of \$400,000 from the City of Great Falls to install City water and sewer service. In addition, we've secured a loan from Cascade County for \$250,000 and a commercial loan from Mountain West Bank for \$1.25 million. We began construction of the new ice arena in fall 2006 on eight acres of land donated by the Flying J Corporation. The property has been annexed into the City of Great Falls and we completed construction and opened the facility in early November 2008. We estimate the new facility will attract 7,400 out-of-town visitors annually for hockey tournaments and other ice events. These visitors will rent approximately 5,000 motel rooms, purchase 44,000 meals in local restaurants and inject \$2 million annually into our local economy. We have a good solid basic facility with strong management. However, there are a number of amenities we need to add to make it a full-service facility and our current finances are inadequate to complete these projects. Our needs are listed below, in rough order of priority.

* **1) Finish Insulation of Building.** The ceiling and half of one end wall were insulated during construction. We desperately need to finish insulating the remaining walls to improve energy efficiency and increase comfort level for spectators and participants. Estimated cost: \$60,000. This project is "shovel ready".

* **2) Pave Entry Road.** This is a requirement of our annexation agreement with the City of Great Falls. We need to pave approximately 600 feet of the entry road. The road is 29th Street SW and will become part of the City road system. Estimated cost: \$75,000. This project is "shovel ready".

3) Construct Annex With Heated Locker Rooms, Concessions Area & Viewing Area. We currently have only temporary dressing rooms with no ceilings, heat, or showers. We need to build heated locker rooms with showers and other amenities to become a full-service facility and improve our attractiveness for major tournaments and ice events and the financial health of the facility. **Estimated cost: \$1.5 million.** Will require some design engineering.

4) Pave Parking Lot With Drainage System, Landscaping & Outside Lighting. This is another requirement of our annexation agreement with the City of Great Falls. We currently have a dirt parking lot which becomes very muddy at times. **Estimated cost: \$2 million.** Will require some design engineering.

* **5) Finish Mezzanine.** We need to finish the upper level, above the current skate shop, public restrooms, mechanical room and zamboni room. Need to pour concrete floor and frame in meeting room, locker rooms, and public viewing area. **Estimated cost: \$150,000.** This project is "shovel ready".

~~THANKS~~
We would appreciate any contribution towards the completion of these projects. Thanks for considering this request.

Contacts: Andrea Hedges, President GFCIF, office 453-5516; home 452-5881
Steve Leathe, Board Member GFCIF, office 268-2347; home 727-0169
Website: www.gf-ice.org



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE MARGARETT H. CAMPBELL
HOUSE DISTRICT 31
HOUSE MAJORITY LEADER

HELENA ADDRESS:
CAPITOL BUILDING
PO BOX 200400
HELENA, MONTANA 59620-0400
PHONE: (406) 444-4800

HOME ADDRESS:
BOX 228
POPLAR, MT 59255
PHONE: (406) 768-3500

EXHIBIT 26
DATE 3/12/09
NO 645

COMMITTEES:
VICE CHAIR - RULES

March 11, 2009

To: House Appropriations Committee Chairman Members
Fr: Rep. Margaret H. Campbell HD 31
Re: Fort Kipp Irrigation Project a Priority for Fort Peck Tribes

Dear House Appropriations Committee Chairman and Members:

The map enclosed shows the pivots and pipelines. This request pertains to 2300 acres of new irrigation utilizing the Tribe's water rights. The crops to be raised include: sugar beets, grain corn, wheat, durum, alfalfa and safflower. This has been a joint effort between the Tribes, BIA, RC&D USDA, Paul Finnicum, with NRCS, and the State of Montana DNRC. This project did not receive any federal stimulus funding, and has received top priority from the Ft. Peck Tribes. I respectfully request that this project be included in House Bill 2a. Thank you.

*I drafted and sent
25% of this project
to the 25% of the project*

FORT PECK TRIBES

Assiniboine & Sioux

March 11, 2009

Honorable Governor Schweitzer:

The Fort Peck Tribes is currently on the verge of a new agricultural frontier. We are currently in the process of developing 2,300 acres of Tribal and allotted land to pivot irrigation southeast of Fort Kipp (Roosevelt County), Montana. Although this project is small, we hope it is the stepping stone to future irrigation and industry development, as we show all suitors that the Fort Peck Tribes is open for business, and willing to utilize its vast water, land and labor forces to bring economic prosperity to the Mon-Dak Region.

We are aware that there may be funds available through the economic stimulus package that may be able to help us in our endeavor. We humbly request that this project be considered for funding. We have been working with Representative Campbell and our friends in the Legislature to promote our project.

We believe the project is "shovel ready" as we are just putting the finishing touches on our easements for burying the pipeline. We have been working with MDU and are ready to proceed with the installation of the power that will supply the pumps and the pivots.

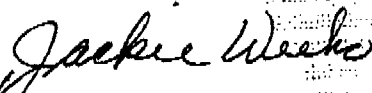
I have included a copy of the cost estimate which is about \$2.55 million and a map of the area. As part of the pivot design, the pivot corners will be planted to community gardens and native berry trees such as June berry, chokecherry and buffalo berry which continue to be a staple of the Sioux/Assiniboine culture, not to mention the local wildlife of the area.

We look forward to any support you may be able to give to our project. We are aware that the tasks in front of you are monumental but have every confidence that you will continue to do what is best for all Montana.

If you have any technical questions about the project, please contact Paul Finnicum, NRCS Tribal Liaison at 768-7733 or by email at mtpaul_98@yahoo.com.

Thank you for your time and support.

Yours truly,


A.T. Stafne
Chairman, Fort Peck Tribes

Feasibility Study and Proposal for:

Agri Industries, Inc.

Hwy 2 & 85 West
PO Box 1166
Williston, ND 58801
(701) 572-0767
(701) 577-4040 Fax
(800)735-4908
www.agriindustries.com



February 27, 2008

**Fort Kipp Area Irrigation Project
Fort Kipp, MT**

We are pleased to submit the following:

PROJECT: Valley Pivot Irrigation Systems

QUANTITY	DESCRIPTION	UNIT	TOTAL
8 ea	Model 8000 Valley Center Pivot. 8" Pivot Point.		
	Valley Select Panel. Low Pressure Shut Off.		
	Strobe Light. High Voltage Surge Protection. 11Rx24.5 Tires		
	Nelson Rotator Nozzles w/ 4 Foot Ground Clearance.		
	Nelson SR 100 Big Gun. 2 HP Booster Pump.		
1 each	2059' Long @ 310 Acres		
1 each	2415' Long @ 425 Acres		
1 each	2285 Long @ 375 Acres		
1 each	1696' Long @ 160 Acres		
1 each	2006' Long @ 300 Acres		
1 each	1772' Long @ 225 Acres		
1 each	2150 Long @ 340 Acres		
1 each	1597' Long @ 190 acres		
8 ea	Valley PRO2 Panel Upgrade		
10 ea	Valley Radio Remote Link System		
	W/ Radio at each pivot site and pump location		
	Real-time data and control of system		
	Full functional control with PRO2 upgrade		
	Dedicated computer for Remote Link		
	Fully mapped system for intuitive monitoring		
8 ea	Heavy Duty Valley Pivot Pad		
16 ea	Freight and Unloading at Job Site		
16000 ft	Pivot Erection		
8 ea	30 Amp, 3 Phase, Pivot Electrical Service		
Estimated Sales Price Today			\$1,340,000

SALESMAN Neil Iversen

This estimate is meant for your internal use only. We ask that these items and terms be kept confidential.

ACCEPTED BY PURCHASER

DATE

AGRI INDUSTRIES, INC.

Agri Industries, Inc.

1982 **25** 2007

Fort Kipp Area Irrigation Project

Fort Kipp, MT

PROJECT: Underground and Water Distribution

SALESMAN Neil Iversen

DATE _____

feasibility and proposal--pipe big pivots

Feasibility Study and Proposal for:

Agri Industries, Inc.

Hwy 2 & 85 West

PO Box 1166

Williston, ND 58801

(701) 572-0767

(701) 577-4040 Fax

(800)735-4908

www.agriindustries.com

We are pleased to submit the following:

PROJECT: Pumping Stations

February 27, 2008

Fort Kipp Area Irrigation Project

Fort Kipp, MT



QUANTITY	DESCRIPTION	UNIT	TOTAL
3 ea	Ames Floating Pump System FPS1240		
	W/ 12" x 40' Discharge		
	10' x 30" Self leveling fiberglass floats		
	Catwalk and hand rail		
	11R x 24.5 Pivot tires		
	Hydraulic lift axle assembly		
3 ea	Ames Self Cleaning Screen SLC 2036		
	W/ 20" Tail x 36" Diameter		
	Self cleaning spray bar requiring 50 GPM		
	8 Opening per inch mesh		
3 ea	Cornell 10YB-1800 RPM-100 HP Close Coupled Pumps		
	W/ 3 Phase, 460 Volt electric motors		
	4500 GPM @ 65' TDH		
4 ea	Cornell 6RB-1800 RPM-125 HP Close Coupled Pump		
	W/ 3 Phase, 460 Volt electric motors		
	3000 GPM @ 125' TDH		
3 ea	100 HP Soft Start Pump Control Panel		
	W/ Lead/Lag operation capabilities		
1 ea	125 HP Variable Speed Pump Control Panel		
	W/ Lead/Lag operation capabilities		
3 ea	125 HP Soft Start Pump Control Panel		
	W/ Lead/Lag operation capabilities		
1 ea	Install electrical service by licensed MT Master Electrician		
3 ea	River Pump Discharge Dog Legs		
	W/ Valves and Check Valves		
1 ea	Booster Station Intake and Discharge Manifold		
	W/ Valves and Check Valves		
1 ea	#12-2 Cu Control Wire and Installation		
Estimated Sales Price Today			\$365,000

SALESMAN Neil Iversen

This estimate is meant for your internal use only. We ask that these items and terms be kept confidential.

ACCEPTED BY PURCHASER

DATE

AGRI INDUSTRIES, INC.

feasability and proposal-pumps big pivots

321

Feasibility Study and Proposal for:

Agri Industries, Inc.

Hwy 2 & 85 West
PO Box 1166
Williston, ND 58801
(701) 572-0767
(701) 577-4040 Fax
(800)735-4908
www.agriindustries.com



February 27, 2008

**Fort Klpp Area Irrigation Project
Fort Klpp, MT**

We are pleased to submit the following:

PROJECT: Agri Industries Lease Option

QUANTITY	DESCRIPTION	UNIT	TOTAL
1 ea	Total Pivot Proposal		\$1,340,000
1 ea	Total Pipeline Proposal		\$795,000
1 ea	Total Pump Proposal		\$365,000
	Total Proposed Sales Price		\$2,500,000
	Agri Industries proposes a lease financing option with a buyout option at the end of the term. Find below the terms.		
2300	Proposed Total Acres		
Year 0	\$130 Per Acre Lease	\$	299,000
Year 1	\$130 Per Acre Lease	\$	299,000
Year 2	\$130 Per Acre Lease	\$	299,000
Year 3	\$130 Per Acre Lease	\$	299,000
Year 4	\$130 Per Acre Lease	\$	299,000
Year 5	\$130 Per Acre Lease	\$	299,000
Year 6	\$130 Per Acre Lease	\$	299,000
Year 7	\$130 Per Acre Lease	\$	299,000
Year 8	\$130 Per Acre Lease	\$	299,000
Year 9	\$130 Per Acre Lease	\$	299,000
Year 10	50% Buyout of Sales Price	\$1,250,000	
	for Full Ownership of Equipment		

SALESMAN Neil Iversen

This estimate is meant for your internal use only. We ask that these items and terms be kept confidential.

ACCEPTED BY PURCHASER

DATE

AGRI INDUSTRIES, INC.

feasability and proposal-lease option big pivots

322



IRRIGATION SYSTEM DESIGN

FORT KIPP

AGRI INDUSTRIES, INC., WILLISTON, NORTH DAKOTA

233

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

EXHIBIT 27
DATE 3/12/09
NO 645

A Message from Director Richard Opper

Welcome to the Montana Department of Environmental Quality's American Recovery and Reinvestment Act (ARRA) website. Our agency has an enormous responsibility to make sure that ARRA dollars are invested wisely in Montana. The Department of Environmental Quality will be overseeing recovery projects that help lower energy use in state buildings and promote energy efficiency and conservation, reduce emissions from diesel engines, clean up leaking underground tanks, and provide upgrades to community drinking water and wastewater systems. These projects will create jobs while helping the DEQ better fulfill its mission of protecting, sustaining,

and improving a clean and healthful environment.

These funds are being provided by Congress to jumpstart a sagging economy, create new jobs, and invest in the projects that protect human health and the environment. We at DEQ are committed to an open, public, and visible process. We have created this website so that you can see how your tax dollars are being invested. Please check back often because we will be adding new information all the time.

Our staff is currently gathering data, reviewing plans, and



Director Richard Opper

identifying the opportunities that will be available as a result of these new federal dollars coming to Montana. We will be making our investment decisions quickly but carefully. We're up against some very tight deadlines, but we will not sacrifice public health or environmental safeguards to meet them. We hope you use this site to track our progress on good projects across the state, putting people to work, and making needed improvements in Montana's infrastructure.

And, as always, I am interested in what you think about how we are doing our jobs here at the DEQ. I welcome your comments, questions and suggestions.

Richard Opper
Director
Montana DEQ

**DEPARTMENT OF ENVIRONMENTAL QUALITY****State Energy Program**

The ARRA provides funds to assist in preparing and implementing comprehensive state energy conservation plans (State Energy Programs), pursuant to the Energy Policy and Conservation Act of 1975.

The ARRA conditions grants to a state upon certification by the governor that:

1. the state utility commission will implement policies that ensure the state-regulated electric and gas utilities have appropriate financial incentives to help their customers reduce energy use (i.e., the "decoupling" of a utility's revenues from energy consumption); and
2. the state, or the applicable unit of local government, will implement energy codes for residential and commercial buildings that meet or exceed certain conservation and efficiency standards. States also are required to prioritize funding to energy efficiency and renewable energy projects, such as building retrofits.

Energy Efficiency and Conservation Block Grants

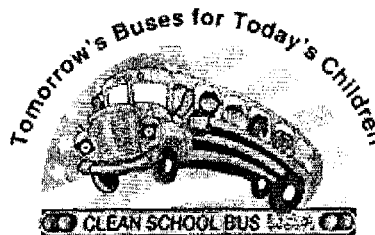
The ARRA will provide grants to states and local governments to develop and implement energy efficiency and conservation strategies. The Department of Energy will distribute the funds to states participating in the Energy Efficiency and Conservation Block Grants Program. The distribution formula and the amount that will be granted to the Montana DEQ is not known at this time.

Funding can be used to conduct energy audits, perform energy efficiency retrofits, implement more efficient energy distribution technologies, develop or install renewable energy technologies, and incentivize energy efficiency improvements in the private sector. Grantees may use up to the greater of 20 percent or \$250,000 of funds to establish revolving loan funds and the same amount to provide subgrants to assisting non-government organizations.

Applicants must provide DOE with a proposed energy efficiency and conservation strategy within one year of receiving funding. DOE must approve the proposed plan within 120 days or return it to the community for revision. Grantees must provide DOE with a report detailing the implementation of its Energy Efficiency and Conservation Strategy, as well as realized energy efficiency gains, no later than two years after the date on which funds were initially provided.

Clean Diesel

- ☒ Replacing Old School Buses - What School Districts Should Consider





DEPARTMENT OF ENVIRONMENTAL QUALITY

Water Quality

State Revolving Fund Water Quality Planning

SRF March 3, 2009 Press Release

DEQ Accepting Comments on Economic Stimulus Funds for Drinking Water and Water Pollution Control Programs

Helena The Montana Department of Environmental Quality is accepting public comments on Proposed Project Priority Lists and Intended Use Plans for American Recovery and Reinvestment Act (ARRA) funds for the Water Pollution Control and Drinking Water State Revolving Fund (SRF) programs.

The Intended Use Plans (IUPs) identify the intended uses of funds in the loan programs and describe how the goals of the programs will be satisfied. The Proposed Project Priority Lists (PPLs) identify projects that are eligible to be funded with loan money appropriated to Montana by the ARRA.

A public hearing will be held in Helena on Friday, March 20, 2009, at 1:00 p.m. in Room 111 of the Metcalf Building, at 1520 East Sixth Ave., to consider the plans and lists. Copies of the Intended Use Plans, which contain the Priority Lists, may be obtained from the DEQ Planning, Prevention and Assistance Division, PO Box 200901, Helena, Montana 59620-0901, telephone (406) 444-6697 or on the DEQ web site at: <http://www.deq.mt.gov/wqinfo/srf/iup-ppl.asp>.

Oral or written comments on the Priority List or Intended Use Plans may be presented at the public hearing or sent to Mark Smith, Drinking Water Revolving Fund Program Manager, marks@mt.gov or Paul LaVigne, Water Pollution Control Revolving Fund Program Manager, plavigne@mt.gov, PO Box 200901, Helena, Montana 59620-0901. Communities wanting to add their proposed drinking water or water pollution control projects to the Project Priority List should complete and submit the SRF survey form available at the website noted above. These comments and surveys must be received by 5:00 p.m. Wednesday, April 3, 2009 for the Water Pollution Control SRF Program and Friday, April 6, 2009 for the Drinking Water SRF Program.

It is important to note that the ARRA funds are for eligible projects that are clearly ready to begin construction this construction season. In the vast majority of cases, if a project is not well into the design process, with all other funding secure at this time, it will not be considered for addition to the Priority Lists.

The intent of the DEQ is to be conservative in the selection of which projects will receive these funds so that neither the project nor the program will be required to forfeit funds if a project is not under construction in the time required in the law. If all selected projects begin construction as required in the ARRA, Montana could be allocated an additional grant in one year, at which time the DEQ hopes to be able to fund additional projects.

The DEQ will make reasonable accommodations for persons with disabilities who wish to participate in this hearing. If you need an accommodation, please contact the department no later than March 17, 2009, to advise us of your need. Please contact Carol Gilmore, phone (406) 444-4643; fax (406) 444-6836; email cgilmore@mt.gov.



DEPARTMENT OF ENVIRONMENTAL QUALITY

Remediation/Restoration

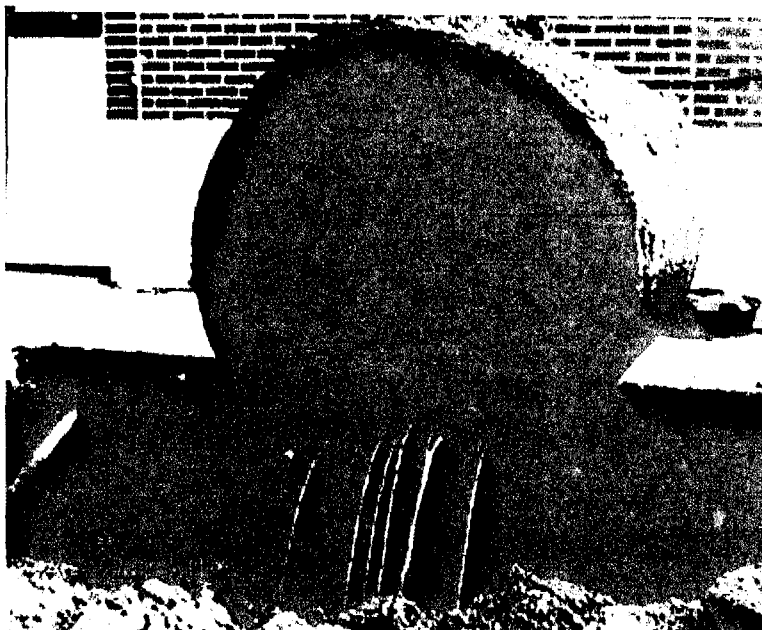
Stimulus Helps Plug Leaking Underground Storage Tank Program

The Leaking Underground Storage Tank (LUST) Trust program, which falls under the Remediation Division of the Montana DEQ, is expecting to receive approximately \$1.3 million from the American Recovery and Reinvestment funds. The program conducts investigation and remediation activities at release sites that threaten human health and the environment where:

1. the release source is unknown or
2. the tank owner is unable or unwilling to perform the work themselves, or
3. in response to catastrophic high-risk sites where the DEQ determines that the state actions are necessary to address immediate risks to human health or the environment.

The LUST program:

- ② investigates unidentified sources of petroleum contamination such as contaminated drinking water wells, petroleum free product floating on water bodies, or petroleum vapors entering buildings and utilities;
- ② conducts necessary investigations and cleanups of underground storage tank releases where an owner or operator does not exist, or is unable to conduct the work themselves;
- ② conducts necessary investigations and cleanups of underground storage tank releases as part of an enforcement action where an owner or operator is unwilling to conduct the work themselves;





DEPARTMENT OF ENVIRONMENTAL QUALITY

Public Involvement

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DEPARTMENT OF ENVIRONMENTAL QUALITY

Links

Federal Stimulus Links Agency/Regional Links

Smith, Barbara

From: lcjones@3rivers.net
Sent: Thursday, March 12, 2009 1:20 PM
To: Smith, Barbara
Subject: [Fwd: Hospital Needs]

Attachments: untitled-2

#391
EQUITY 28
DATE 3/12/09
645



untitled-2 (13 KB)

Barb;

Here are some of the writeups;

Llew

1 165
175
225
300
5865 K

----- Original Message -----

Subject: Hospital Needs
From: "Mark Jones" <Marklj@ponderamedical.com>
Date: Wed, March 11, 2009 12:16 pm
To: "Llew Jones" <lcjones@3rivers.net>
Cc: "Ted Kronebusch-work" <electrc@3rivers.net>

Good morning Senator Jones,

Recently I spoke to our Hospital Board Chairman Ted Kronebusch who informed me that perhaps there were some stimulus funds available for rural critical access hospitals in Montana.

As I am sure you are aware, critical hospital funding is a critical topic.

We strive to provide the very best services while maintaining operating costs at a minimum, this is often a very difficult balance.

We are, to a large extent expected to offer the same level of technical and professional services that larger hospitals offer. This is especially hard for rural facilities, recruiting, increased operating supply costs, increasing transportation costs. Increasing technology and the costs associated with technology all make it very difficult for small rural facilities to maintain.

We have several proposed projects we would like to undertake however, we simply cannot afford them without State and/or Federal dollars.

#1 We have approximately 12,000 square feet of unfinished space in the basement of our facility, we affectionately call these areas the dirt rooms because there are outer walls but only a dirt floor and not suitable for use.

We would very much like to complete these areas and utilize them for use to generate additional revenues and offer new or expanded services in physical and occupational therapy as well as increase the size of our wellness center approximate cost \$300,000.

#2 We have an aging computer system and internal network that needs to be completely replaced from the ground up, technology in healthcare is absolutely essential, as you can well imagine, approximate cost \$225,000. This cost will replace all computer workstations, supply three to four new servers and up-grade our current hospital system software to give us a fully integrated hospital system that will allow us to provide better care, capture appropriate charges, more timely billing and collection, in short allow us to operate better in a very competitive environment.

#3 Our Emergency Room is old and out-dated and too small, we would very much like to and patient care would benefit from updating and expanding the size of our ER as well as covering our ambulance entrance. Approximate cost \$175,000.

#4 Another project is the addition replacement of our aging hospital boilers, we are operating on the originally installed boilers that requires a tremendous amount of work and

maintenance plus the fact that these units are aging and are not the most energy efficient products on the market today. Replacement of these boilers would reduce operating expenses by ~~operating~~ on multi-fuel sources as well as being modern and more energy efficient. Approximate replacement cost ~~\$165,000~~

Thank you for your time and consideration, please feel free to give me a call or stop by anytime.

Mark Jones
CEO

Pondera Medical Center
805 Sunset BLVD.
Conrad, Montana 59425
406-271-3211
Email: marklj@ponderamedical.com
www.ponderamedical.com

Freedom is not worth having if it does not include the freedom to make mistakes.
Mahatma Gandhi

Conrad High School Work to be completed in the summer of 2009

Heating, Ventilating, and Air Conditioning

General

The design revisions include two general hvac systems for the building. These systems are as follows:

- General Building System – Four air handling units, three that are constant volume with reheat and one that is variable volume with reheat.
- Heating Only System – Unit ventilators, fin-tube heaters, cabinet heaters, infrared radiant heaters and other terminal unit devices.

Heating Plant

Most of the heating is provided with heating water from three boilers. The air handling equipment heating coils are heating hot water. Secondary and reheat coils are heating hot water. The system has 35% glycol in the heating water system for freeze protection.

Boilers

The boilers are minimum 88.8% efficient at 100% firing rate. The boilers have the ability to vary the firing rate and energy input of each boiler. The boilers are fully modulating and variable flow for maximizing the capacity of the boilers and the thermal output efficiency of the heating plant. The boilers are sequenced to operate as needed so only the required output is produced by the boilers. Two heating water pumps are provided at 210 gpm per pump. Both pumps operate only when needed and one pump operates over the pump's flow range until the second pump is needed.

Hydronic piping system contract amount = \$153,010
HVAC Water Treatment contract amount = \$12,766

Air Handling Systems

Gym HVAC System

The gym heating and ventilation is supplied by a constant volume air handling unit.

South Locker HVAC System

The south locker ventilation is supplied by a constant volume air handling unit.

North Locker HVAC System

The North locker ventilation is supplied by a constant volume air handling unit.

Science /Art HVAC System

The Science /Art heating and ventilation is supplied by a variable volume air handling unit and VAV boxes with reheat for energy conservation.

Auditorium HVAC System

The Auditorium heating and ventilation is supplied by a constant volume air handling unit.

Band Room HVAC System

The room heating and ventilation is supplied by a variable speed unit ventilator.

Choir Room HVAC System

The room heating and ventilation is supplied by a variable speed unit ventilator.

Classroom HVAC System

The classroom heating and ventilation is supplied by a variable speed unit ventilator.

Conrad High School Gym Addition and Remodel Energy Upgrade Work Narrative

Shop HVAC System

The shop is provide with ventilation by make-up air units with reheat to temper the outside air. The rest of the heating is provide by infrared radiant heaters for heating energy conservation.

Miscellaneous Exhaust Systems

Exhaust systems will be installed to serve locker rooms, restrooms and crawlspace exhaust. The locker room exhaust and the restroom exhaust is controlled to shut off during unoccupied periods. The crawlspace exhaust will only energize when the relative humidity is above 60%. The fan will not operate when the temperature is below 40 degrees F.

Cooling Systems

The library Res. System will be cooled with an air conditioning unit, and associated condensing unit.

HVAC Equipment contract amount = \$505,595

Air Duct system contract amount = \$139,293

Refrigeration Piping System contract amount = \$913

Indoor Air Quality

Indoor air quality standards are maintained based on school ventilation requirements and on ASHRAE 62 Standard for Indoor Air Quality.

Duct Insulation

The ducting is insulated to meet energy code requirements. The supply and return ducting is externally or internally insulated in spaces that are not exposed. The outside air ducts and combustion air ducts are externally insulated.

Pipe Insulation

The piping is insulated to meet energy code requirements.

Mechanical Insulation contract amount = \$46,877

Temperature Controls

The system is a direct digital control system. This will allow the operator to record, evaluate, and report changes in the system.

Temperature Controls contract amount = \$125,201

Testing and Balancing

The testing and balancing is a part of the construction contract. The testing and balancing contractors are limited to NEBB certified contractors.

Testing and Balancing contract amount = \$25,548

Plumbing

Domestic Water Heating

The domestic water heating system has two gas water heaters that are 96% efficient. The domestic hot water system has domestic hot water recirculation pumps for water conservation.

Natural gas system contract amount = \$15,586

Domestic water system contract amount = \$90,644

Plumbing fixtures and trim contract amount = \$45,722

Above slab waste and vent contract amount = \$25,832

**Conrad High School Gym Addition and Remodel
Energy Upgrade Work Narrative**

Existing Classrooms

Existing Un-insulated Exterior Brick Walls

Fur out existing brick walls to increase the energy efficiency of the school. 3-5/8" metal studs with R-11 insulation, 5/8" gypsum board, tape and paint walls.

Fur out Walls amount = 14,500 s.f. x \$5.00/s.f. = \$72,500

Total of All Energy Upgrade Work to Be Completed in Summer of 2009

Total Cost = \$1,259,487.00

Conrad Interchange History and Facts

This is a project that has been discussed for nearly 30 years since the construction of the Interstate, with the original proponent being the Pondera Economic Development Council. Approximately 14 years ago the Conrad Fire Department and Conrad Ambulance Service approached the Pondera Coalition for Progress (the predecessor of the Pondera Port Authority), the City of Conrad and Pondera County to again identify their concerns with being **unable to reach the east half of Conrad and rural areas lying east of town with emergency vehicles** when the BN grain unit trains side railed in the community blocking all the crossings for an extended period of time. **There had been close calls with both the ambulance and the fire engines** and these groups requested that the overpass project be again pursued aggressively. The City of Conrad also noted that they were **short of Industrial park space and that an overpass would also open up potential area for development**.

Over the next few years the Montana Department of Transportation (Mick Johnson) was approached. Several meetings, including a presentation by Mr. Johnson to the local Chamber of commerce followed. Ultimately the project became listed on the highway plan. The City of Conrad acquired a 10- year option on property for a future industrial park and our federal elected officials were approached for a direct appropriation of \$3 million dollars to cover the cost of the project including inflation that could occur over time.

It was during this time that we became aware of **the problems being experienced with the rest area on the Teton river ie: water, sewer, relative distance from major community, lack of security; and it was suggested that this overpass might serve as a location for a new rest area**. We were excited about this possibility as it enhanced our chance of success and offered the potential for economic development for our community. The federal appropriation was expanded to \$4million and we were eventually notified of being successful via the cooperative work of Senator Conrad Burns, Senator Max Baucus, and Representative Dennis Rehberg. The additional \$1 million would allow for the development and construction of a rest area near the interchange.

After notification of the federal appropriation and meeting with Director Jim Lynch along with several members of the MDOT, it was determined that to jump start the entire project, a Preliminary Engineering Review should be completed. By providing 10% of the 13.42% match totaling \$53,680.00 the overpass project would be put on the fast track. Instead of the priority date being moved out to 2016 we would now be looking at 2007. The community together reached deep to come up with the matching funds money with contributions toward the match from City of Conrad, Pondera County, BNSF, Pondera Economic Development Corporation, and 3 Rivers Grant.

In subsequent meetings as the project has moved forward the City of Conrad and Pondera County have reiterated their commitment to the project. In the mean time, the **City of Conrad has been required to upgrade its water and wastewater treatment facilities due to increasing EPA standards. This is a multi- million dollar commitment that Conrad currently is repaying and has increased their rates substantially to cover these costs. The City of Conrad cannot afford the**

additional large bill for the infrastructure to the industrial park and rest area at this time. Basically what the City of Conrad needs is more time in order to delay these costs until such time as there is a business tenant present in the industrial site to help assume the costs of infrastructure or the use of stimulus money for the project.. It is a project that appears to be falling through the cracks of qualifying for stimulus just due to timing. The various agencies are very aware of the project but no grants have been applied for even though the project is nearly shovel ready just due to the fact that the timing and requirements of the project have been in flux over the last few years.

. List of organizations or Government entities (Local, State, Federal) that support this project: Organizations which support this project include, but are not limited to, the Pondera Regional Port Authority, Pondera County Economic Development Corporation, City of Conrad, Conrad Public Schools, Conrad Volunteer Fire Department, Pondera County Ambulance, Pondera Coalition for Progress, Representative Llew Jones – HD 27, Senator Jerry Black – SD 14 , Former Senator Glenn Roush – SD 8, City of Valier, Pondera County Commissioners, and the citizens of Pondera County. Support has been received from BNSF and 3Rivers.

Contributions:

City of Conrad	\$21,000
Pondera County	\$10,000
BNSF	\$5,000
Pondera EDC	\$13,000
3 Rivers Telephone	\$5,000

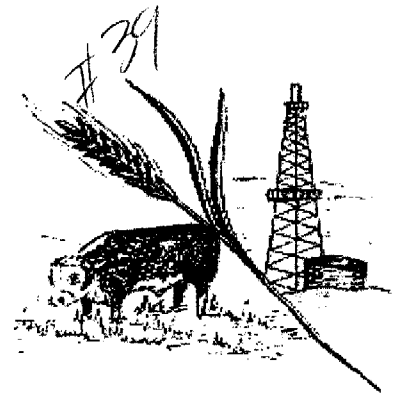
2.2 million
water/sewer



PONDERA COUNTY

20 4TH AVENUE S.W.

CONRAD, MONTANA 59425



March 12, 2009

To Whom It May Concern:

For the last approximately thirty-five years, Pondera County owned the Conrad Community/Senior Citizens Center located at 106 S. Delaware. Community activities involving youth and senior services were held in this older building, which had both structural deficiencies and significant accessibility issues, starting with a split level entry where disabled citizens enter a foyer and were promptly confronted with stairs going either up or down. Those unable to use the stairs needed to go the rear of the building where an aging, break-down prone lift system was available. The mechanical areas, kitchen and dining area for daily senior noon meals, as well as a number of social activities, were located in the basement of the building. It was not uncommon to have thirty or so seniors there on any given day and area meetings often had upwards of sixty people in attendance. The thought of a fire in the kitchen when people on oxygen were in the basement and only two people at a time able to use the lift was the source of recurring nightmares. In September of 2005, the Commissioners contacted John Bolton, an associate with CTA Architects Engineers, who delineated and quantified the structural problems and with this information, the Board of Commissioners came to the conclusion that the best solution would be to relocate the Center to another location.

During the summer of 2008, Pondera County sold the building to a local church group, with the caveat that Senior meals would still be served from this facility until a new location was available. The County then purchased another larger, single story building located in close proximity to the downtown area which has considerable floor area, plenty of parking and no accessibility problems but needs significant remodeling, including the addition of a kitchen and handicapped rest rooms. The building also needs significant roof repairs and new heating, ventilation and air condition equipment along with other energy efficiency improvements. The current plan is to also build in office space house the local Area Agency on Aging office and the County Health Department; both would synergize nicely with the primary function. A separate conference area is also planned that would be available to the community at large and also serve as an Emergency Operations Center in the event of a disaster.

The at this time we are considering bids to put a new roof on the building, which came in around \$50,000, we have obtained a mechanical engineer's estimate for the HAVC requirements at \$60,000. By the time we add a commercial kitchen, handicapped accessible restrooms, office space, energy efficiency measures and finish the remodel project we are looking at around \$700,000. We have been in contact with a variety of funding sources including USDA Rural Development, the Steele-Reese Foundation and the Montana Community Foundation. We continue to research other grant opportunities and believe this project would fit the intent, terms and conditions of any stimulus funding.

331

Respectfully yours,

Pondera County Commissioners

Sandra J. Broesder, Chairman

Cynthia Johnson, Member

Joseph Christiaens, Member

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Current Folder: **INBOX****Sign Out**[Compose](#) [Addresses](#) [Folders](#) [Options](#) [Search](#) [Help](#) [Calendar](#)[Postini](#)[Message List](#) | [Delete](#)[Previous](#) | [Next](#)[Forward](#) | [Forward as Attachment](#) | [Reply](#) | [Reply All](#)**Subject:** Siphon 1 information**From:** brid@copper.net**Date:** Tue, March 17, 2009 5:24 pm**To:** "Ron Stoker" <stoker@montana.com>**Priority:** Normal**Options:** [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#) | [View Message details](#)29
~~EXCPT~~ Additional
DATE 3/12/09
NR 645

Representative Stoker,

Here is the information you requested. Sir if you need more information or something changed please email or call. I have pictures available too. Thanks so much for your help.

John Crowley

Manager, Bitter Root Irrigation District

Attachments:[Stoker.doc](#)

41 k

[application/msword]

[Download](#)

To: Representative Ron Stoker HD 87
From: Bitter Root Irrigation District
Subject: Siphon 1 replacement

Bitter Root Irrigation District (BRID) is a one hundred year old irrigation project. BRID provides irrigation water to 1,375 irrigators on 16,665 acres located on the east side of the Bitterroot Valley. The main canal carries 350 cubic feet second (CFS) and is 71.5 miles long. The main canal beginnings just below Lake Como, about 12 miles southwest of Hamilton, MT and ending at Eagle Watch, about 6 miles northeast of Stevensville, MT.

Built in 1909, Siphon #1 is constructed from riveted steel plates ranging from 3/16" to 5/16" in thickness. The Siphon is 5,654 foot-long which is used to transport almost all of BRID's water. The Preliminary Engineering Report addresses the complete replacement on the siphon. The report determined that failure of any major element could result in loss of water to the acres supplied by BRID as well as damage to the river system, wetlands, aquifer and adjacent U.S highway 93. The report identified the following problems:

- Deterioration and pitting inside the pipe;
- Deterioration of the concrete inlet and outlet structures;
- Structural problems with the river crossing, including the bridge trestle;
- Rivet failures in the pipe;
- Near failure of the expansion joints; and
- Deterioration of support elements of the pipeline, including thrust blocks, turnouts and drains;

The engineers estimate the replacement cost of the steel siphon at \$6,100,000.00.

Any failure of the system would almost surely occur during the summer months when irrigation water was being carried by the project thereby leaving landowners without irrigation water. If the problem were significant it would result in total loss of crops in excess of \$7,000,000.00 and would result in major economic losses for the individuals and the community.

The residents on the east side of the valley are heavily dependent on the irrigation district delivering the water. Without irrigation water, the land served by BRID would become range land and it would be impossible to grow most crops,

There are approximately 12,000 to 20,000 residents that are dependent on the canal resupplying the aquifer of the Bitterroot Valley.

The district is making all efforts to increase tax base to help in any way however, the burden is too excessive for local taxpayers.

Sincerely,

John Crowley
Manager, Bitter Root Irrigation District

Current Folder: **Trash**[Compose](#) [Addresses](#) [Folders](#) [Options](#) [Search](#) [Help](#) [Calendar](#)**EXPORT** Additional Sign Out
DATE 3/12/09 Postini
HB 645[Message List](#) | [Delete](#)[Previous](#) | [Next](#)[Forward](#) | [Forward as Attachment](#) | [Reply](#) | [Reply All](#)**Subject:** Hedge Dam**From:** "Molly Skorpik" <mskorpik@m-m.net>**Date:** Tue, March 17, 2009 1:17 pm**To:** "stoker@montana.com" <stoker@montana.com>**Priority:** Normal**Options:** [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#) | [View Message details](#)

From: Molly Skorpik

Sent: Wednesday, March 11, 2009 4:22 PM

To: 'ricklaible@aol.com'; 'lakemill@montana.com'; 'garymaclaren@yahoo.com'; 'stoker@montana.com'

Cc: 'Paul Barteni'; Ken W. Salo

Subject: Daly Ditches Irrigation District

Dear Mr. Laible, Mr. Stoker, Mr. Lake and Mr. Maclaren,

I am contacting you regarding Daly Ditches Irrigation District. Their Hedge Canal Diversion Dam, which serves the Hedge Canal, is ready to fail and they are lacking funding to replace the structure. This project is on the Governor's Stimulus List originally submitted to US Congress, however, they are only slated to receive \$100,000 stimulus funding through the DNRC. We are still short \$735,000 to make this project happen. When this diversion fails, 778 folks in the Bitterroot will be without irrigation water. This is a very important project and it is slipping through the cracks with the stimulus allocations. Will you please consider adding this project to HB 645 with a line item appropriation under the DNRC to award the \$735,000? I attached a project description for your use.

I cannot think of a better project to qualify for stimulus funding because of the imminent need and the number of people it effects; however, we are sliding through the cracks. I have almost 500 letters of support for this project from residents within the Bitterroot Valley.

I am available to answer questions. I am not a lobbyist but an engineer representing Daly Ditches.

Sincerely,

Molly Skorpik, PE

Ph 406-542-4825

C 406-360-3477

This communication is the property of Morrison-Maierle, Inc. and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

Attachments:

untitled-[1.2]	4.9 k	[text/html]		Download | Vi
Project Description DDID.docx	25 k	[application/vnd.openxmlformats-officedocument.wordprocessingml.document]	Project Description DDID.docx	Download
Attach A Project Quick Reference Sheet.pdf	294 k	[application/pdf]	Attach A Project Quick Reference Sheet.pdf	Download

\$ 5000



DMAC - Fire? 'GFF
DOT - NHTSA?
Public Safety

March 11, 2009

To: House Appropriations Committee

From: Representative Mike Miller, HD84

Re: Funding Request from Stimulus Money

3/
~~EXHIBIT~~ Additional
DATE 3/12/09
NR 645

Last fall, the Helmville Volunteer Fire Department was presented with the most generous gift of a full size fire truck from Mr. Ken Davenport. The firetruck needs some minor work to make it fully functional. This work will be handled locally by the volunteers. However, the issue arises of where to park the firetruck so it can be fully utilized year round. The existing parking place needs to be enclosed and heated so the truck can be kept full of water during the winter allowing for a faster response.

What needs to be done now is to extend the current garage to allow parking the new firetruck inside so it can be fully utilized year round. The Helmville community pulled together several years ago to build the current fire truck and school bus garage and will again take care of the construction if this appropriation is approved.

Therefore, I am requesting a one time appropriation of \$5000.00 for the Helmville Volunteer Fire Department.

Thank you for your consideration.

Mike Miller
Representative, HD84

Chief Dull Knife College

BOX 98 • Lame Deer, Montana 59043

Phone (406) 477-6215

Additional
EXHIBIT 3/12/09 32
DATE 3/12/09
NO 645

To: House Representative David Roundstone (HD 41)
Fr: William L. Wertman, Vice-President
Re: Stimulus Action
Dt: March 13, 2009

Per your discussions with Zane Spang, Dean of Student Affairs, I am providing the following CDKC facilities requests for Stimulus funding consideration. The cost figures were derived following discussions with CTA Architects/Engineers, are consistent with recent construction projects in our area, and do not include furnishings, computers, etc.

The proposed facilities would be adjoining and would be located on the east boundary of the College campus.

- A. Two-story classroom office complex to house expanded classroom space, laboratory space, and critically needed faculty office space. The lack of adequate classroom, meeting, and office space is one of the primary challenges facing CDKC. Finding available classrooms and meeting areas is an ongoing challenge for the College. Several faculty members currently are forced to share office space and records indicate an average of 420 hours of instructional use per academic year in a facility designed for 270 hours. These facility restrictions decrease productivity and hinder the College's educational planning and delivery of quality programs and services. The proposed 20,000 sq.ft. classroom/office facility is projected to cost \$6,000,000.
- B. Two-story circular shaped library to replace the current library that was initially constructed to house the commodity distribution center for the Northern Cheyenne tribe. Students in the College's carpentry program renovated the facility and it currently serves as both the College and community library. Circulation within the library has increased three-fold over the past three years and the library is serving an average of 240 patrons daily, including college students. Two shortcomings with the currently facility have been identified in recent Northwest Commission on Colleges and Universities evaluations are lack of small group meeting rooms for study and/or discussion groups, and the lack of sufficient archival space. The library, despite providing students with many online resources, continues to rotate books from its storage room to compensate for the lack of adequate space to display all current holdings. The proposed 12,800 sq.ft. library facility is projected to cost \$3,840,000.
- C. Multi-purpose student center to provide a facility for student activities including college basketball games and practices, college and community recreational events, college commencement activities, and campus sponsored pow-wows. The College lacks any type of student center, within which to encourage and promote recreational or athletic activities. In order to provide

opportunities for our students, the College must rent a facility from a local school district for \$100 per day and pay all janitorial services. On a limited budget, it is not fiscally possible to provide our students with reasonable gym time under the current arrangement and so activities are severely limited. Intramural activity involvement for basketball and volleyball requires travel of up to 120 miles roundtrip if student teams wish to participate in an organized league. The proposed 20,000 sq. ft. facility is projected to cost \$6,000,000.

Thank you for any consideration you give this proposal and should you have additional questions, please feel free to contact my office at (406) 477-6215, Extension 117.

A handwritten signature in black ink, appearing to read "William F. Smith", is located to the right of the thank-you paragraph.



-WOHEHIV-
The Morning Star

NORTHERN CHEYENNE TRIBE

ADMINISTRATION

P.O. BOX 128
LAME DEER, MONTANA 59043
(406) 477-6284
FAX (406) 477-6210



-WOHEHIV-
The Morning Star

March 16, 2009

House Appropriations Standing Committee
House of Representatives
61st Montana Legislature
Helena, Montana

Attention: J. David Roundstone/HD 41

Subject: House Bill No. 645/Northern Cheyenne Stimulus Projects

Dear Members of the Committee:

I would like to thank Representative David Roundstone, who represents the Big Horn County portion of the Northern Cheyenne Reservation for bringing this request to your attention. As a tribal member and Tribal Health Director, David can certainly speak to the need for each of the projects discussed in this letter.

The Northern Cheyenne Tribe is actively pursuing additional Federal funds appropriated by the *American Recovery and Reinvestment act of 2009*(Pub. L.111-5/ARRA). As you know, this important economic stimulus plan, in the amount of \$787 billion, contains language that authorizes State governments to receive and expend Federal funds made available by ARRA. While there is no specific provision in the legislation mandating direct funding to Federally recognized Tribal governments from the States, we are acutely aware of President Obama's emphasis regarding procedures to ensure implementation and compliance with the law and hope that you will fund Tribal projects through the State Stimulus monies.

The Northern Cheyenne Tribe understands that accountability is a crucial aspect of the ARRA and has initially responded to the notices of the availability additional funding by listing projects that have been determined to be "shovel ready" to meet the "time obligation" requirements for expenditure of ARRA funds. While we know, that you will be limited in your ability to fund all the requests which come before you, we respectfully urge you to include some of the following projects for in the State of Montana's Stimulus Package.

Our urgent Tribal projects are focused on much needed community infrastructure improvements and access to credit and capital which would offer a viable opportunity for immediate job creation to stimulate the local Reservation economy. We request the

LITTLE WOLF AND MORNING STAR - Out of defeat and exile they led us back to Montana and won our Cheyenne homeland that we will keep forever.

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EX-107 Additional
DATE 3/12/09
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opportunity to access ARRA funds required by Federal law to be awarded and distributed in a prompt, fair and reasonable manner. The following is a brief description and narrative of the Northern Cheyenne tribal projects that are "shovel ready". They will have a significant impact on our Reservation and on the surrounding community as it is reasonable to expect much of the construction contracting will be awarded to non-Indian firms.

Little Wolf Capital Building Improvement Project: (\$325,000) Construction of the Northern Cheyenne Tribal Capital Building was completed in 1997, replacing the original Tribal Headquarters that was destroyed by fire in 1988. Over \$4 million was raised by the Tribe to construct the present Capital Building from a variety of funding sources. The building is in urgent need of several major repairs all of which relate to energy efficiency and public safety including: Replacement of existing faulty fiberglass shingle roof with metal; installation of fascia/soffett not completed by the original contractor; boiler repairs; repairs in the internal and external fire sprinkler system; and repairs to exterior concrete steps and walkways.

The Tribal Office serves as the business hub of the Reservation, housing the Tribal Administration, Legislative Branch and majority of Federal, State and Tribal programs providing services the Tribal Community. The estimated cost of essential repairs have obtained been from existing maintenance contractors, for example Mechanical Technologies, Inc; Tribal Maintenance staff, N.C. Tribal Housing Authority and local TERO certified contractors.

Solid Waste Transfer Facility: (\$500,000) to purchase of equipment to collect and transport solid waste on the Northern Cheyenne Reservation, covering Big Horn and Rosebud Counties. This sanitation project has been developed by the Northern Cheyenne Tribal Housing Authority and consulting engineers to address hazardous and unsanitary conditions in the community. In Phase 1 a solid waste transfer station was built by the Tribe in 2008/09 at a cost of 1.2 million. When equipment is obtained, this project will become self-sustaining with a fee system based on curbside trash collection.

Northern Cheyenne Dialysis Center: (1.5 million) An October, 2008 feasibility study prepared by Edwards Enterprises/Healthcare Consultants indicates that an estimated start-up cost for a thirty (30) patient dialysis center on the Northern Cheyenne Reservation would cost approximately \$1.5 million dollars. Services from this facility would be available to residents of surrounding off-reservation communities. The cost estimate includes administration, labor, treatment costs, facility and equipment costs, and purchase of modular unit(s) or a remodeling alternative for the Indian Health Service facility in Lane Deer. Patients currently travel over one hundred mile to Billings, Montana. A local dialysis center would improve the quality of life for patients and reduce the stress on family and friends.

Reconstruction of U.S. Highway 212 from the Big Horn County line to Crow/Northern Cheyenne Reservation boundary: (Cost undetermined) Resurfacing, at approximately \$4 million plus project, of this segment of highway on the Reservation

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has been scheduled by the Montana Department of Transportation (MDOT), scheduled to begin in 2009. Our Tribe is advocating MDOT's engineering of this project for complete reconstruction. The Tribal Council has passed legislation formally requesting reconstruction to improve this heavily used roadway for safety and commerce purposes.

Lame Deer and Muddy Cluster Water System Improvement Project: (Phase 11 - \$750,000) This project will provide clean water to community members who have not had access to high quality domestic water supplies. Project engineering has been completed by Dow/HKM Engineers. The construction estimate for all phases of this project has been set at \$6,740,000 for this infrastructure project and the Tribal Utilities Commission has generated over one million for Phase 1 which will begin in the summer of 2009.

Bison Pasture Fencing Project: (\$393,200) Tribally owned bison, 125 animals, are utilized for economic (guided hunts) and ceremonial purposes. Fencing an estimated twenty-six (26) miles for a secure bison pasture is a tribal priority. The cost estimate for the Tribal bison pasture was developed using a GPS mapping system and Montana Natural Resource and Conservation Service guidelines for a Wildlife fence.

Wind Energy Project: (64 million) Distributed Generation Systems, Inc. (DISGEN), the Tribe's technical consultant, assisted the Tribe in completing a feasibility study and environment assessment for a commercial wind energy project on the Northern Cheyenne Reservation in 2005. The project would produce 30 megawatts of electrical power. Project financing, sale of the electricity, and accessing the power grid for this clean energy project are remaining project items.

Boy's & Girl's Club Building Improvement project. (\$275,000) The 15,000 square-foot building occupied by the Boy's & Girl's Club also serves as a community center on the Northern Cheyenne Reservation. The building includes a gym, classrooms, meeting rooms, offices and kitchen facilities, but it is 36 years old. The building needs air-conditioning and the following repairs: existing boiler, pumps, HV units and fintube; electrical upgrades and a commercial hot water heater.

The Northern Cheyenne Tribe has been monitoring the initial implementing guidance for the American Recovery and Reinvestment Act of 2009 and has received initial instructions and recommendations from the Montana Congressional delegation, Federal and State officials to formally submit our Tribal projects to the pertinent State and Federal offices assigned to award and distribute ARRA funds. Therefore, we feel it is appropriate to submit them for your consideration. Complete detailed project information is available.

4

Please contact me for any additional information you may require. We look forward to working with you in a partnership effort to ensure that President Obama's Stimulus reaches all parts of our great State. Thank you for your consideration.

Sincerely



Leroy Spang, President
Northern Cheyenne Tribe

c.c. Tribal Council

cc: file/vpres/ncte

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Congressman Denny Rehberg

STATE OF MONTANA
MISSOULA FIELD OFFICE
301 E. BROADWAY, SUITE B
MISSOULA, MT 59802
(406) 543-9550
(406) 543-0663 fax

34
DO NOT Additional
DATE 3/12/09
HB 645

Date: 03/12/2009To: House Appropriations CommitteeFax Number: 406-444-4825Number of Pages (including cover): 3

From:

- ☐ Congressman Denny Rehberg
- ☐ Tom Schultz
- ☐ Jessica Flint
- ☒ Larry Anderson

COMMENTS: Please distribute a copy of the Congressman's letter to the Full Committee. This letter is in support of the Revolving Loan Fund to support the Wood Products Industry contained in HB 645

If you have difficulty receiving this fax, please call (406) 543-9550

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Denny Rehberg
State of Montana

Appropriations Committee
Labor, Health and Human
Services, and Education
Energy and Water Development
Foreign Operations

Congress of the United States
House of Representatives
Washington, DC 20515

March 9, 2009

Governor Brian D. Schweitzer
Office of the Governor
Montana State Capitol Building
P.O. Box 200801
Helena MT 59620-0801

Dear Governor Schweitzer:

I was encouraged to read recently of your plans to utilize a portion of Montana's economic stimulus funds to create a State Revolving Loan Fund (RLF) to aid our state's wood products industry.

As you well know, the wood products industry has been stressed to the breaking point over the years due to lack of accessible timber and other pressures. With the downturn in our economy, the drop in housing starts and a decline in demand for wood products has brought that stress to critical mass. The wood products industry has been responsive to the changing demand for timber and wood products by reducing costs and increasing efficiencies, but without help those efforts may not be enough. A report prepared by the Montana Bureau of Business and Economic Research projects that the housing slump will continue through 2009 and into 2010. The associated drop in demand for wood products has resulted in large inventories of unsold products at mills and lumber yards throughout the state. Steps must be taken now to ensure that our critical wood products industry infrastructure is maintained until this situation turns around.

I have always been a strong supporter of the wood products industry in Montana. The infrastructure we save now will form the foundation for a vibrant wood products industry that will provide clean-burning biomass energy, a reliable supply of material for construction, and thousands of well-paying jobs. In addition to playing a large role in the economic future of our state, the wood products industry promotes the health of our forests through responsible timber management.

2648 Rehberg House Office Building
Washington, DC 20515
(202) 225-3311

1201 Grand Avenue, Suite 1
Billings, MT 59102
(406) 258-1011
Toll Free 1-800-232-7076

550 North Montana Avenue
Helena, MT 59601
(406) 443-7878

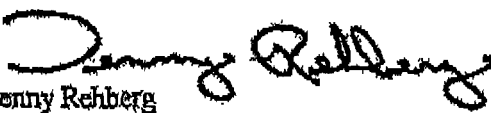
501 East Broadway
Suite 2
Missoula, MT 59802
(406) 643-8650

105 Smelter Avenue, NE
Suite 10
Great Falls, MT 59403
(406) 454-1000

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As you work toward implementation of the RLF, my office will be available to provide support for Economic Development Administration grant funding and USDA Rural Development assistance in this effort.

Sincerely,


Denny Rehberg
Montana's Congressman

Browning Public Schools
Superintendent's Office
129 First Avenue S.E.
P.O. Box 610
Browning, MT 59417
Phone: (406) 338-2715 ♦ Fax: (406) 338-3200



March 12, 2009

To: Appropriations Committee

Fr: Mary Johnson, Superintendent

35
ECOMY Additional
DATE 3/12/09
NO 645

The Browning Public School Board of Trustees, Administrators, staff and 1850 Students of Browning Public Schools request to be included in the Economic Stimulus Funding. This money would allow us to complete our new High School.

The new Browning High School is being built on 320 acres of school land approximately 1 mile west of Browning. The construction of the new 125,000 square foot High School is nearing completion but in order to have a full-functional school, we require additional funds to finish and complete this facility in the following areas in order of importance:

The School District purchased the land totally undeveloped, part of the expenditures to date and the remaining expenditures involve "site " work, utilities, access, etc.

(1) The School District was depending on the new city/tribal water system to be complete in order to provide adequate water pressure. The project did not get completed; therefore we need to resort to a pump system to increase the pressure enough to run the fire suppression system.

- Water System Upgrade \$120,000

(2) Budget shortfalls prevented us from completing the Communications and security system

- Master clock and PA system \$221,000
- Security Alarm System \$90,000

(3) Since the land is totally undeveloped, it lacks adequate access roads, parking areas,

- Asphalt Roadways & Parking \$1,000,000

(4) The land lacks sidewalks and gutters.

- Sidewalk Curb & Gutter \$164,000

(5) The land around the school has not been developed or landscaped. It will require an irrigation system and well, topsoil, grass seed, etc

- Perimeter landscaping \$180,000

(6) The budget only allowed for the partial completion of the gymnasium. The Board's priority was the academic classrooms. Therefore, the wings that include classrooms are completed, the gymnasium is not. Yet to be completed is one end of the gym that will include one set of locker rooms, a weight room, teacher offices, and a laundry room.

- Gymnasium Finishes

\$1,225,000

Total Cost to Complete Project

\$3,000,000

Browning School District # 9 has completed this project without any assistance to date. The District saved a portion of their Impact Aid for 10 years and sold Impact Aid and General Obligation Bonds. The District's lack of a vital tax base continues to hinder the ability to fund projects such as this.

The District has proven to be responsible stewards of the taxpayer's money. The ability to accrue a \$22million dollar funding package over a ten year period while successfully managing the yearly \$25million budget is proof. We encourage the appropriations committee to assist us in finishing this dream of ours for the children.

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TOU...

768,000

#44

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**Summary of Big Sandy Activities Project submitted to the
Federal Fiscal Year 2009
Community Development Block Grant (CDBG)
Public Facilities Competition**

EXHIBIT *addition*
DATE *3/12/09*
HA *645*

APPLICANT: Chouteau County, on behalf of Big Sandy Activities, Inc.

TYPE OF PROJECT: Construction of a New Facility – Day Activity Program

CDBG AMOUNT: \$ 450,000

OTHER: \$ 713,198 – RD Community Facilities - Loan
\$ 50,000 – RD Community Facilities – Grant
\$ 41,650 – Local Contribution

*7 rural development
no increase
in Medicaid
no debt capacity*

PROJECT TOTAL: \$1,254,848

SUMMARY: Big Sandy Activities, Inc. (BSA) is a not-for-profit agency that provides state-mandated services and support to 21 developmentally disabled residents, each of whom suffers from one or more mental, physical, or emotional disabilities. The current Day Activity Program is located in a 3,011 square. foot structure that was originally constructed as a shop building in the early 1980's. Architects have determined that the condition of the existing facility is poor in terms of both physical condition and functionality due to:

- over-crowding or over-use;
- improper equipment;
- inadequate record keeping areas;
- lack of adequate space for physical therapy;
- lack of space for family meeting areas,
- Inadequate toilet facilities and other needs.

The proposed project includes construction of a new facility which would address:

- the mitigation of current code, functionality, program, and safety issues at the existing facility;
- site and building access improvements
- improved construction; and
- anticipated utility savings that will improve the operational cost-effectiveness of the facility.

[Signature]
HD 28

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*Lorrie is here
cell phone 581-7288*

TO: Representative Bill McChesney, Chairman,
General Government Joint Appropriations Subcommittee

FROM: Anthony J. Preite, Director
Montana Department of Commerce

SUBJECT: Chouteau County – Big Sandy Activities, Inc., Day Treatment
Center Funding Request

DATE: March 13, 2009

Yesterday, Lorrie Merrill, Executive Director of the Big Sandy Activities, Inc. Day Treatment Center, appeared before your committee seeking additional funds to renovate and upgrade the adult day treatment facility located in the Town of Big Sandy. You requested that our department provide additional information related to the treatment center funding request.

Last year, the Montana Community Development Block Grant (CDBG) Program received an application from Chouteau County requesting CDBG grant funds in the amount of \$450,000 to undertake substantial improvements to the Day Treatment Center necessary to maintain the facility's accreditation with the Medicaid program. This facility serves adults with profound disabilities and is sorely in need of improvements that are vital to continue to operate the facility. If the center closes, 44 full- and part-time jobs will be lost, a significant number in a town with only 703 inhabitants. The center serves several counties in the region. A summary of the proposal as submitted to CDBG is attached.

Because of a pending Medicaid reimbursement rate reduction, *this is not true* we have now been informed that Big Sandy Activities, Inc. will not have sufficient financial capacity to carry any loan. This development would effectively eliminate the opportunity to receive either loan or grant from USDA/Rural Development, which in combination with CDBG funds and a local contribution, would have been sufficient to carry out needed improvements. This leaves the project with a funding gap of \$763,198. *direct connect w/ department*

This project scored #2 out of 20 applications in the CDBG ranking completed last fall. CDBG funding is contingent on funds approved by Congress for federal fiscal year 2009. The President just signed the budget legislation Wednesday. Further information supporting this request is attached.

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Kasten, Rep Dave

From: Rochelle Angevine [edo@hardinmt.com]
Sent: Monday, March 16, 2009 12:32 PM
To: Kasten, Rep Dave
Subject: CORRECTION!!!! Hardin Rail Spur

HB 645

 <http://www.hardinmt.com/images/ecodev/TRALogo.gif>

406 N. Cheyenne Ave.
Hardin, MT 59034
Phone: (406) 665-9274
Email: edo@hardinmt.com
Greg Smith, Executive Director

DATE: March 16, 2009

TO: Representative Dave Kasten /MT-HD 30

FROM: Greg Smith/ Two Rivers Authority

SUBJECT:

PROJECT: Refurbish the existing Rail Spur inside the Hardin Industrial Park.

Upgrading 11,000 feet of track on the spur line will serve existing businesses and to attract and serve new major industrial users will cost approximately \$12 million.

- Essential for New World Energy to build a \$450,000,000 coal to liquid plant in Hardin's Industrial Park.
 - This new plant will create 300 above average wage, long term, full time jobs,
 - With at least 400 new jobs created over the next 3 years.

Which in turn will create:

- More income tax paid (federal & state)
- More real estate, income taxes
- Reduce unemployment rates in

- Hardin,
 - the Crow Reservation, &
 - the Big Horn County
- Will enable the use of 2.1 million tons of coal annually.
 - Create a major increase in real estate taxes.
 - Create more coal severance taxes.

NEW & EXISTING HIP BUSINESSES:

- New World Energy proposes to build 10,000 feet of railroad on their property to handle coal unloading and loading liquids.
- The Cenex Harvest States (CHS) asphalt plant in the Hardin Industrial Park will utilize a track from the turnout.
- This railroad upgrade will enable coal unit trains to deliver coal to Hardin Generating Station that was built in 2006 (coal is now delivered by truck)
- This will provide service to the Farmers Union elevator

THE STATE'S RETURN ON INVESTMENT:

- Pay back using the 15% severance tax of the total coal, would bring in an additional \$2,000,000.00 per year, so the pay back to the State would be less than 7 years.
- More income tax paid (federal & state)
- More real estate, income taxes
- Reduce unemployment rates in
 - Hardin,
 - the Crow Reservation, &
 - the Big Horn County

THE PROJECT MUST:

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- Accommodate unit train delivery of coal, adequate storage must be provided off of the main line.
- Unit coal trains running about 6,900 feet in length, storage of over 7,000 feet is required either on private property or on the spur track itself.

Please, call me (591-0076) if you feel anything is missing or needs clarification.

Sincerely,

 Greg Smith

GES/ra

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SECTION F - LONG-RANGE PLANNING

38
JUNEY Additional
DATE 3/12/09
HB 645

Figure 1

9999 Summary Agency Legislative Budget Comparison Table							All Programs	
Federal Stimulus Budget Version Budget Item	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Operating Expenses	-	-	-	-	-	-	-	0.0%
Capital Outlay	-	-	3,000,000	3,000,000	-	6,000,000	6,000,000	0.0%
Local Assistance	-	-	-	-	-	-	-	0.0%
Transfers	-	-	80,804,600	80,804,600	-	161,609,200	161,609,200	0.0%
Total Costs	-	-	83,804,600	83,804,600	-	167,609,200	167,609,200	0.0%
General Fund	-	-	54,975,686	54,975,686	-	109,951,372	109,951,372	0.0%
Federal Spec. Rev. Funds	-	-	28,828,914	28,828,914	-	57,657,828	57,657,828	0.0%
Total Funds	-	-	83,804,600	83,804,600	-	167,609,200	167,609,200	0.0%

Agency Narrative

Long-Range Planning programs include new funding requests of \$167.6 million for the biennium. The new requests consist of \$110.0 million of freed up general funds and \$57.7 million of federal special revenue from Montana's receipt of American Recovery and Reinvestment Act of 2009 (ARRA) funds.

Purpose of Funds

The purpose for the funding is to replace general fund for one-time transfers that fund long-range projects and increase the number of projects that can be completed using general funds freed up and federal funds made available through ARRA.

Statutory Changes

No statutory changes are anticipated in association with the funding for LRP programs.

Conditions and Limitations

In general, all proposals funded with either federal stabilization funds, federal energy funds, or general funds freed up through ARRA must be tracked for compliance as required in the reporting requirements of the ARRA and by administering federal agencies.

Long-Range Building Program (LRBP)

The main funding source for LRBP proposals is federal stabilization funds. Projects funded with ARRA funds are not subject to "shovel ready" provisions, but the projects will be required to follow the provisions of the Davis-Bacon, federal prevailing wage law, and will need to use U.S. steel products. The ARRA requires that funds that are not subgranted or otherwise committed within two years must be returned to the Secretary of Education to be reallocated. As a result, it would be advisable that LRBP projects funded with stabilization funds be committed in the next two years.

State Building Energy Conservation Program (SBECP)

SBECP projects funded with ARRA funds must be energy projects expended in existing programs, and the Department of Energy must approve the use of the funds. Projects must be awarded within 18 months and completed within 36 months.

Long-Range Information Technology Program (LRITP)

There are no conditions or limitations on the new proposals for the LRITP.

Treasure State Endowment Program (TSEP) and TSEP Regional Water (TSEPRW)

There are no direct conditions or limitations associated with the new proposals for the TSEP or TSEPRW, however should local governments receiving TSEP grants also receive other sources of federal funding originating in the ARRA, the projects will be required to comply with the Davis-Bacon Act and will need to use US steel products in their projects and may be required to comply with shovel ready time constraints.

Renewable Resource Grant and Loan Program (RRGL) and Reclamation and Development Grant Program (RDGP)

There are no direct conditions or limitations associated with the new proposals for the RRGL or RDGP, however should local governments receiving RRGL or RDGP grants also receive other sources of federal funding originating in the ARRA, the projects will be required to comply with the Davis-Bacon Act and will need to use US steel products in their projects and may be required to comply with shovel ready time constraints.

Quality School Facility Program (QSFP)

There are no conditions or limitations on the new proposals for the QSFP.

Figure 2

9999 Summary Agency				All Programs		
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP01101 Transfer from GF into Stimulus GF	3,000,000	3,000,000	6,000,000	3,000,000	3,000,000	6,000,000
NP01101 Transfer in to TSEP Stimulus GF	10,250,000	10,250,000	20,500,000	10,250,000	10,250,000	20,500,000
NP01104 Regional Water System	4,000,000	4,000,000	8,000,000	4,000,000	4,000,000	8,000,000
NP02001 SOS Information Management System	2,750,000	2,750,000	5,500,000	2,750,000	2,750,000	5,500,000
NP02002 Replace HB 10 General Fund Transfer	3,433,100	3,433,100	6,866,200	3,433,100	3,433,100	6,866,200
NP02015 Replace Dec 15 Gf with Stimulus GF	1,500,000	1,500,000	3,000,000	1,500,000	1,500,000	3,000,000
NP05001 Replace December 15 general fund with federal fund	-	-	-	2,600,000	2,600,000	5,200,000
NP05007 Access MT	3,000,000	3,000,000	6,000,000	3,000,000	3,000,000	6,000,000
NP05011 Add federal allocation for remaining energy funds	-	-	-	11,944,000	11,944,000	23,888,000
NP05012 Additional transfer for LRBP state projects	542,586	542,586	1,085,172	542,586	542,586	1,085,172
NP05014 Fund LRBP Projects with Stabilization Funds	-	-	-	14,284,914	14,284,914	28,569,828
NP05015 Ruby Dam	1,000,000	1,000,000	2,000,000	1,000,000	1,000,000	2,000,000
NP06001 Transfer into the RRGL stimulus GF	1,750,000	1,750,000	3,500,000	1,750,000	1,750,000	3,500,000
NP07001 Transfer into RDGL Stimulus GF	500,000	500,000	1,000,000	500,000	500,000	1,000,000
NP09901 Transfer of Stim GF to HB 152 Sch Facility Acct	21,500,000	21,500,000	43,000,000	21,500,000	21,500,000	43,000,000
NP09902 HB 213 SW Vet's Home transfer of Stim GF	1,750,000	1,750,000	3,500,000	1,750,000	1,750,000	3,500,000
New Proposal Total	54,975,686	54,975,686	109,951,372	83,804,600	83,804,600	167,609,200
Total All Decision Packages	54,975,686	54,975,686	109,951,372	83,804,600	83,804,600	167,609,200

Decision Package Narrative

NP01101 Transfer from GF to Stimulus GF – This proposal replaces general fund OTO appropriations of a biennium total of \$6 million in HB 10 with appropriations from general funds freed up through AARA. The projects include the ESSC equipment and moving expenses, \$3.5 million/biennium, interoperability Montana, \$2.0 million/biennium, and child support computer system, \$0.5 million/biennium. The projects will be appropriated in HB 10.

NP01101 Transfer in to TSEP Stimulus GF – An OTO biennium total of \$20.5 million, from general funds freed up through ARRA, is proposed to be transferred to the Treasure State Endowment Program (TSEP). The proposal would fund grants authorized for the 2009 biennium and provide funding to extend the number of TSEP recommended grants funded in the 2011 biennium. The funds will be appropriated in HB 11.

NP01104 Regional Water System – This proposal provides transfers of a total \$8.0 million in the 2011 biennium of OTO general funds freed up through ARRA for the Treasure State Endowment Regional Water Program. These funds would be used as the state match for federal funding of large regional water systems. The funds will be appropriated in HB 11.

NP02001 SOS Information Management System – This proposal would transfer \$2.75 million in each FY 2010 and FY 2011 from OTO general fund freed up through ARRA to a LRITP capital projects fund for the build out of the Secretary of State (SOS) information management system. These funds will be appropriated in HB 10.

NP02002 Replace HB 10 General Fund Transfer – This proposal replaces general fund OTO transfers of a biennium total of \$6.9 million in HB 10, the LRITP bill, with an OTO transfer from general funds freed up through ARRA. The transfer would fund the states share of the Medicaid management information system, \$3.5/biennium for the Department of Public Health and Human services, and the improving efficiency through

technology project, \$3.4 million/biennium for the Department of Revenue. The project appropriations will be included in HB 10.

NP02015 Replace Dec 15 GF with Stimulus GF - This proposal replaces biennial transfers of \$3.0 million of OTO general funds to the State Building Energy Conservation Program (SBECP) with general funds freed up through ARRA. From these funds, \$1.5 million would be transferred to the SBECP state special revenue account to fund the administrative expenses of the program and \$1.5 million would be transferred to the SBECP capital projects fund to be used for energy conservation projects. The original proposal, included in HB 5 (the Long-Range Building Program (LRBP) bill), contained OTO general fund transfers of a total \$14.9 million. Consequently, this proposal represents a net \$11.9 million in freed up general fund savings. The remainder of the SBECP 2011 biennium projects will be funded with federal energy funds. The project appropriations will be included in HB 5.

NP05001 Replace December 15 General Fund with Federal Funds - This proposal is an allocation of a total \$5.2 million of federal special revenue funds that replaces biennial transfers of \$5.2 million of OTO general fund to the Long-Range Building Program (LRBP) capital projects fund. The funds are available through the federal stabilization component of ARRA. This proposal will enhance the ability for the LRBP to make upgrades and improvements to state buildings. The original proposal, included in HB 5 (the LRBP bill), contained OTO general fund transfers of a total \$5.2 million. Consequently, this proposal represents \$5.2 million in freed up general fund savings. The project appropriations will be included in HB 5.

NP05007 Access Montana - This proposal replaces \$2.0 million of general fund OTO support of the FWP Access Montana project and replaces the funding with a biennial total of \$6.0 million from general funds freed up by ARRA. The funds would be used to acquire lands that allow access to Montana waterways. The funds will be appropriated in HB 5.

NP05011 Add Federal Allocation for Remaining Energy Funds - This proposal allocates \$23.9 million of federal energy funds, \$11.9 million in FY 2010 and FY 2011, through ARRA. The allocation replaces biennial transfers of OTO general fund to the SBECP. The funds would enhance the funding for energy conservation improvements in state buildings and community colleges. Energy projects included in the allocation include \$9.7 million to the Montana university system for energy projects and \$1 million for community colleges. The funds will be appropriated in HB 5.

NP05012 Additional Transfer for LRBP State Projects - This proposal transfers an additional \$1.1 million for the 2011 biennium of OTO general funds freed up through ARRA. This proposal will enhance the ability for the LRBP to make upgrades and improvements to state buildings. The project appropriations will be included in HB 5.

NP05014 Fund LRBP Projects with Stabilization Fund - This proposal allocates \$28.6 million of federal special revenue funds, \$14.3 million in FY 2010 and FY 2011, through ARRA federal stabilization funds. This proposal will enhance the ability for the LRBP to make upgrades and improvements to state buildings. Specific improvement projects include \$6 million to complete the adaptive renovations, deferred maintenance, life safety, ADA code compliance, and historic restoration project of Main Hall on the University of Montana, Western campus in Dillon. Additionally, \$12.3 million of these funds would be used on projects contained in the University systems list of \$22.0 million of deferred maintenance and energy improvement projects. The funds will be appropriated in HB 5.

NP0515 Ruby Dam - This proposal would transfer \$2.0 million of OTO general funds freed up through ARRA, \$1 million in each FY 2010 and FY 2011. The funds would be transferred to the hydroelectric power generation

state special revenue account for the purpose of repairs to the Ruby Dam. The funds will be appropriated in HB 5.

NP06001 Transfer into the RRGL stimulus GF – This proposal would transfer \$1.75 million in FY 2010 and FY 2011 of OTO general funds freed up through ARRA to the Department of Natural Resource and Conservation natural resource projects account. The funds would be used to fund additional renewable resource water project grants. The funds will be appropriated in HB 6.

NP07001 Transfer into the RRGL stimulus GF – This proposal would transfer \$0.5 million in FY 2010 and FY 2011 of OTO general funds freed up through ARRA to the Department of Natural Resource and Conservation natural resource projects account. The funds would be used to fund additional reclamation and development grants. The funds will be appropriated in HB 7.

NP09901 Transfer of Stim GF to HB 152 Sch Facility – This proposal would transfer a total of \$43.0 million, \$21.5 million in FY 2010 and FY 2011, of OTO general funds freed up through ARRA to the Department of Commerce. The funds would be used for K-12 facility upgrades, maintenance, and energy improvements.

NP09902 HB 213 SW Vet's Home Transfer of Stim GF – This proposal would transfer a total of \$3.5 million, \$1.75 million in FY 2010 and FY 2011, of OTO general funds freed up through ARRA to a state special revenue account as created in HB 213. The funds would be used for site selection and to begin construction of a new state veterans' home at a site in Beaverhead, Deer Lodge, Jefferson, Madison, Powell, or Silver Bow County. The funds will be appropriated in HB 5.

Alternatives and Policy Options

Long-Range Building Program (LRBP)

The proposals for the LRBP generally fund projects with federal "stabilization" funds. There is no requirement related to the use of stabilization funds. Consequently, the legislature could choose to use the stabilization funds for other "capital projects". If the legislature chose, the transfers to HB 5 could be reduced or eliminated and the stabilization funds could be used to fund other, preferably OTO projects.

Quality School Facility Program (QSFP)

The QSFP proposal is inconsistent with the method used to provide funding to LRP programs. In HB 645, section F, funds are transferred to the Department of Commerce, schools facilities improvement account, for the purposes of the QSFP, being established in HB 152. In HB 645, section A, the funds are appropriated from the schools facilities improvement account. To be consistent in approach to funding other LRP programs, the freed up OTO general funds would have been transferred to the school facilities improvement account and amendments would have been made for the appropriations of the state special revenue account in HB 152. This lack of consistency has the potential of creating a double counting of the funds, as the funds will be counted once as a transfer and once as an appropriation.

The proposal for the QSFP would transfer \$43 million in freed up general fund to the Department of Commerce for K-12 school upgrades and energy improvements. The QSFP has not yet been developed, and it is expected that the program will not be ready to distribute funds for school improvements until late in the 2011 biennium. The legislature may wish to consider another method of distribution of these funds that will provide a more immediate distribution of the funds.



Other LRP Proposals

The general method of providing new funding for the Long-Range Planning (LRP) programs is through transfers into the individual programs. The funds are then appropriated in the bill designated for the programs. In most cases, except the proposals related to the SBECF (in which the federal funds are specifically designated for state energy projects by the federal government), transfers could be changed or eliminated and new transfers and appropriations could be developed for other, preferably one-time, projects.

S:\COMMON\2011_HB2\Stimulus_Narrative\Section_F\LRP Stimulus Narrative.doc

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**Montana House of Representatives
Visitors' Register**

ASC - NATURAL RESOURCES

Date _____

Bill Nos. HB645 **Sponsor(s)** _____

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
Ted WASHBURN	HD69	HB645	+		✓
Dave Crawford	Manhattan		✓		X
CHARLIE BOGARD	HD 23				
Jim Lynch	MDT				
Tina BERRY	HD45				
Miko Murphy	MWRA				
Steve Wade	NORWA / DFRWA		✓		
MIRIE MIRIE	SP/Mary Prairie		✓		
JEFF TIBERI	MA CD		X		
Jinda Wiggers	Great Falls Chamber		X		
KRISTY GLOVER	Self				
LE SCHAFER	MSU - Great Falls	HB645			X
Jim Eggamb	Commerce	HB645 HB 11	X		
Ann Hale	DN Re	HB645	X		
May Syta	DN Re	645	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register**

LONG RANGE PLANNING COMMITTEE

Date _____

Bill No. HB 645 Sponsor(s) _____

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Andy McFadden, Missoula, MT	Town of Stevensville	X		
Ted WASHBURN	HD 69	X		
Dave Crawford	Manhattan	✓		X
Mike Miller	HD 81			
Ron Hanson Butte ^{180 Butte}	Powell Co.	X		
Susan Briggs	Bird Co. - new	X		X
Charlie Bowman	HD 23			
HAROLD BLATTIE	WACO	X		
Tom BERRY	HD 45	X		X
CHRIS LATHY	Powell Co.	X		X
Jeff Brant	DORA/ITSD	X		
Tava Veary	MBPC			X
Darryl Barton	Deer Lodge	X		X
Debby Barrett	SD 36	X		X
Jeff Miller	HD - 72	X		
Fran Albrecht ^{Missoula}	Watson Children's Shelter	✓		X
Cary Hegreberg	Contractors	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

John Connell

ASE

X

3600

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

Call to Order: Chairman Bill McChesney, on March 12, 2009 at 8:00
A.M., in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Bill McChesney, Chairman (D)
Sen. Rick Laible, Vice Chairman (R)
Sen. Ken (Kim) Hansen (D)
Rep. Walter McNutt (R)
Sen. Ryan Zinke (R)

Members Excused: Rep. Bill Nooney (R)
Rep. Jon C. Sesso (D)

Members Absent: None

Staff Present: Mark Bruno, OBPP
Greg DeWitt, Legislative Branch
Shawn Graham, OBPP
Mitzi Grover, Committee Secretary
Matt Stayner, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Subjects Heard: HB 645: Governor's Office, Department of Administration, Department of Commerce, Department of Military Affairs, Department of Labor & Industry

Executive Action: None

00:00:07 Chairman McChesney

Governor's Office

Informational Testimony:

00:03:53 Matt Stayner, Legislative Fiscal Division, (LFD)
EXHIBIT(jgh55a01)

00:04:56 Sen. Zinke
00:05:06 Mr. Stayner
00:05:16 Sen. Laible
00:05:40 Mr. Stayner

Department of Administration

Informational Testimony:

00:06:00 Greg DeWitt, Legislative Fiscal Division LFD
00:07:37 Mark Bruno, Office of Budget and Program Planning
(OBPP)

Public Comment:

00:08:28 David Senn, Director, Teacher Retirement Division
00:10:20 Tom Bilodeau, MEA-MFT

Discussion:

00:12:41 Chairman McChesney
00:13:06 Mr. Senn
00:13:24 Chairman McChesney
00:13:31 Mr. Senn
00:14:07 Sen. Laible
00:14:34 Mr. Senn
00:14:53 Sen. Laible
00:15:07 Mr. Senn
00:15:27 Sen. Laible
00:16:07 Mr. Senn
00:16:43 Sen. Hansen
00:17:03 Mr. Senn
00:17:38 Sen. Zinke
00:18:34 Mr. Senn
00:19:21 Chairman McChesney

Department of Commerce

00:19:58 Mr. Stayner

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00:23:41 Sen. Zinke
00:24:06 Mr. Stayner
00:24:43 Sen. Zinke
00:24:58 Chairman McChesney

Informational Testimony:

00:25:29 Andy Poole, Deputy Director, Department of Commerce
(DOC)
00:38:42 Tony Preite, Director, DOC
00:43:22 Chairman McChesney

Public Comment:

00:43:59 Paul Tuss, Executive Director, Bear Paw Development
Corporation of Northern Montana

EXHIBIT(jgh55a02)

00:47:14 Rep. Bob Bergren, HD 33, Havre, Montana
00:48:42 Mike Anderson, Hill County Commissioner
00:49:56 Rep. Betsy Hands, HD 99, Missoula, Montana
00:59:00 Michael O'Neil, State Director, Montana Home Choice
Coalition
01:06:34 Chairman McChesney
01:06:48 Ellen Simpson, Montana Wood Products Association

Questions from Committee and Responses:

01:11:44 Chairman McChesney
01:12:43 Sen. Zinke
01:13:29 Rep. Hands
01:14:46 Sen. Zinke
01:15:07 Sen. Laible
01:16:07 Mr. Poole
01:16:44 Sen. Laible
01:17:03 Mr. Poole
01:17:24 Sen. Laible
01:17:29 Bruce Brensdal, Administrator, Housing Division, DOC
01:18:13 Sen. Laible
01:18:44 Mr. Brensdal
01:19:13 Sen. Laible
01:19:20 Chairman McChesney
01:20:06 Mr. Brensdal
01:20:37 Chairman McChesney
01:20:48 Mr. Brensdal
01:21:08 Chairman McChesney
01:21:19 Sen. Zinke
01:21:27 Rep. McNutt

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

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01:22:05 Rep. Hands
01:22:28 Chairman McChesney
01:22:40 Rep. Hands
01:23:14 Chairman McChesney
01:23:35 Patrick Heffernan, Director, Montana Working Forests
01:24:55 Chairman McChesney
01:25:08 Tim Baker, Executive Director, Montana Wilderness
Association

EXHIBIT(jgh55a03)

01:27:02 Sen. Zinke
01:27:33 Ms. Simpson
01:28:27 Sen. Zinke
01:28:43 Ms. Simpson
01:29:53 Sen. Zinke
01:30:15 Chairman McChesney
01:31:01 Ms. Simpson
01:32:00 Chairman McChesney
01:32:12 Ms. Simpson
01:33:02 Sen. Laible
01:34:02 Ms. Simpson
01:35:40 Sen. Laible

Public Comment:

01:36:04 Chere Jiusto, Main Street Program, Historic
Preservation

EXHIBIT(jgh55a04)

Questions from Committee and Responses:

01:42:53 Sen. Laible
01:44:13 Mr. Stayner
01:44:21 Sen. Laible
01:44:55 Mr. Stayner
01:46:13 Sen. Laible
01:47:07 Ms. Jiusto
01:48:53 Chairman McChesney

01:49:17 Recess
02:01:19 Reconvene

Public Comment:

02:01:38 Linda Gryczan, Grow Montana, National Center
for Appropriate Technology (NCAT)

EXHIBIT(jgh55a05)

02:09:34 Chairman McChesney

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT
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02:10:11 Jeff Feiss, General Manager, Montana Telecommunications
Association
02:15:59 Marty Tuttle, Chief Legal Counsel, DOC
02:22:27 Bonnie Lorang, Montana Independent Telecommunications
Systems

EXHIBIT(jgh55a06)

02:25:54 David Gibson, Director, Qwest Communications

Questions from Committee and Responses:

02:29:26 Chairman McChesney
02:29:35 Sen. Hansen
02:30:00 Mr. Tuttle
02:33:40 Sen. Laible
02:35:06 Mr. Feiss
02:37:51 Sen. Laible
02:38:11 Mr. Feiss
02:38:17 Sen. Laible
02:39:04 Mr. Tuttle
02:42:08 Sen. Laible
02:42:56 Mr. Tuttle
02:44:08 Sen. Laible
02:44:54 Mr. Tuttle
02:46:40 Rep. Duane Ankney, HD 43, Colstrip, Montana
02:49:04 Sen. Laible
02:49:22 Rep. Ankney
02:49:39 Sen. Hansen
02:49:57 Rep. Ankney
02:50:10 Sen. Laible left.
02:50:15 Sen. Zinke
02:50:32 Rep. Ankney
02:50:40 Chairman McChesney
02:50:49 Lorrie Merrill, Director, Big Sandy Activities
02:54:33 Chairman McChesney
02:54:48 Sen. Laible returned.
02:54:55 Sen. Zinke
02:55:07 Mr. Poole
02:55:49 Chairman McChesney
02:55:55 Mr. Poole
02:56:21 Sen. Zinke
02:56:34 Mr. Poole
02:56:56 Chairman McChesney
02:57:03 Sen. Laible
02:57:31 Mr. Tuttle
02:57:36 Sen. Laible
02:57:56 Mr. Tuttle
02:58:20 Chairman McChesney

Department of Military Affairs

Informational Testimony:

02:58:49 Brigadier General Putnam, Assistant Adjutant General,
Montana National Guard
02:59:49 Rep. Furey, HD 91, Milltown, Montana

EXHIBIT(jgh55a07)

03:01:55 Sen. Zinke
03:02:20 General Putnam
03:02:38 Sen. Laible
03:03:10 Rep. Furey
03:04:57 Sen. Laible
03:05:30 Rep. Furey

Department of Labor and Industry

03:06:35 Mr. Stayner
03:11:30 Sen. Zinke
03:11:56 Mr. Stayner
03:12:26 Sen. Zinke

Informational Testimony:

03:12:38 Keith Kelly, Commissioner, Montana Department of Labor
and Industry

EXHIBIT(jgh55a08)

03:35:05 Sen. Laible
03:35:33 Mr. Kelly
03:35:54 Sen. Laible
03:36:12 Mr. Kelly
03:37:51 Mr. Stayner
03:38:15 Sen. Laible
03:38:49 Mr. Kelly
03:40:27 Sen. Laible
03:41:18 Mr. Kelly
03:43:22 Sen. Laible
03:44:37 Mr. Kelly
03:46:51 Sen. Zinke
03:47:42 Mr. Kelly
03:48:07 Sen. Zinke
03:48:28 Mr. Kelly
03:49:16 Chairman McChesney
03:49:26 Sen. Laible
03:50:17 Chairman McChesney
03:50:37 Sen. Laible
03:51:24 Mr. Stayner

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03:53:20 Sen. Laible
03:53:34 Mr. Stayner
03:54:30 Sen. Laible
03:54:38 Mr. Stayner
03:54:42 Sen. Laible
03:55:06 Mr. Stayner
03:55:17 Sen. Laible
03:56:10 Mr. Stayner
03:56:36 Sen. Zinke
03:57:13 Rep. McNutt left.
03:57:43 Chairman McChesney

ADJOURNMENT

03:58:01 Adjournment: 12:10 P.M.

Mitzi Grover, Secretary

mg

Additional Documents:

EXHIBIT(jgh55aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
GENERAL GOVERNMENT SUBCOMMITTEE

DATE: 3/12/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. BILL McCHESNEY	✓	
SEN. RICK LAIBLE, VICE CHAIR	✓	
SEN. KEN HANSEN	✓	
REP. WALTER McNUTT	✓	
REP. BILL NOONEY		✓
REP. JON SESSO		✓
SEN. RYAN ZENKE	✓	



SECTION A GOVERNOR'S OFFICE

Figure 1

3101 Governor's Office						All Programs		
Legislative Budget Comparison Table								
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Personal Services	-	-	7,065,451	-	-	7,065,451	7,065,451	0.0%
Operating Expenses	-	-	75,000	-	-	75,000	75,000	0.0%
Total Costs	-	-	7,140,451	-	-	7,140,451	7,140,451	0.0%
General Fund	-	-	7,140,451	-	-	7,140,451	7,140,451	0.0%
Total Funds	-	-	7,140,451	-	-	7,140,451	7,140,451	0.0%

Agency Narrative

The Governor's office is provided an appropriation \$7.14 million for personal service costs that are normally appropriated in HB 13, but are contained in this bill to account general fund freed up by federal stimulus funds.

Purpose of Funds

These funds are only the general fund portion for personal services pay plan normally appropriated in HB 13. \$4.0 million is for the personal services contingency fund administered by the Governor's Office to cover unexpected shortfalls in agency personal services expenditures. \$3.065 million is for the replacement of the one-time-only general fund appropriation for personal services budget adjustments to ensure the minimum payment to employee provision of 2-18-303(3) MCA. The remaining \$75,000 is for pay plan training.

Statutory Changes

There are no statutory changes required.

Conditions and Limitations

There are no conditions or limitations on the funding.

Figure 2

3101 Governor's Office				All Programs		
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00400 HB 13 - Replace OTO general fund appropriations	7,140,451	-	7,140,451	7,140,451	-	7,140,451
New Proposal Total	7,140,451	-	7,140,451	7,140,451	-	7,140,451
Total All Decision Packages	7,140,451	-	7,140,451	7,140,451	-	7,140,451

Decision Package Narrative

DP-400 Replace General Fund Appropriations In HB13 - This item requests appropriation of \$7,140,451 general fund in FY 10 for the replacement of pay plan elements funded with general fund in House Bill 13.

SECTION A - DEPARTMENT OF ADMINISTRATION

Figure 1

6101 Department Of Administration Legislative Budget Comparison Table							All Programs	
Federal Stimulus Budget Version Budget Item	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Operating Expenses	-	-	1,000,000	1,000,000	-	2,000,000	2,000,000	0.0%
Transfers	-	-	21,500,000	21,500,000	-	43,000,000	43,000,000	0.0%
Total Costs	-	-	22,500,000	22,500,000	-	45,000,000	45,000,000	0.0%
General Fund	-	-	22,500,000	22,500,000	-	45,000,000	45,000,000	0.0%
Total Funds	-	-	22,500,000	22,500,000	-	45,000,000	45,000,000	0.0%

Agency Narrative

The Department of Administration includes funding requests totaling \$45.0 million for the biennium from general funds freed up from Montana's receipt of American Recovery and Reinvestment Act of 2009 funds. Funding requests within the department are for: 1) transfers for funds to the Teachers' Retirement System; and 2) support of a high performance computer center.

Purpose of Funds

The purpose for the funding is to replace general fund for one-time expenditures of funding for department expenditures.

Statutory Changes

No statutory changes are anticipated in association with the funding for the department.

Conditions and Limitations

Funding is from freed up general fund associated with stimulus funds received by the state so no specific conditions or limitations are placed on the funds.

Figure 2

6101 Department Of Administration				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP090001 High Performance Computer Operations -- Biennial	1,000,000	1,000,000	2,000,000	1,000,000	1,000,000	2,000,000
NP090001 Teacher Retirement System	21,500,000	21,500,000	43,000,000	21,500,000	21,500,000	43,000,000
New Proposal Total	22,500,000	22,500,000	45,000,000	22,500,000	22,500,000	45,000,000
Total All Decision Packages	22,500,000	22,500,000	45,000,000	22,500,000	22,500,000	45,000,000

Decision Package Narrative

Director's Office

NP 90001 - Teacher Retirement System - Biennium funding of \$43.0 million general fund is requested to provide annual transfers of \$21.5 million to the Teachers' Retirement System. Before these transfers, an actuarial valuation of the Teachers' Retirement System showed that contributions directed to the system would be sufficient to amortize the unfunded actuarial accrued liability (UAAL) of the system over 31.3 years. An estimate indicates the amortization period would be reduced to 28.8 years with the transfers in this item. However, both valuations were conducted for the period ending June 30, 2008, and don't take into account the subsequent global economic downturn and decline in the investments market.

Information Technology Services Division

NP 90001 - High Performance Computer Operations - Biennial - Biennium funding of \$2.0 million general fund is requested to support a lease in the Thorton Building in Butte and startup and operating costs to run a high performance computer. A biennial designation is requested for this funding.

HB 2 currently includes funding for the high performance computer operations as a \$2.0 million line item appropriation designated as biennial and one time only.

SECTION A DEPARTMENT OF COMMERCE

Figure 1

6501 Department Of Commerce Legislative Budget Comparison Table						All Programs		
Federal Stimulus Budget Version	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Budget Item								
Personal Services	-	-	944,234	949,324	-	1,893,558	1,893,558	0.0%
Operating Expenses	-	-	664,348	645,305	-	1,309,653	1,309,653	0.0%
Grants	-	-	51,818,021	51,817,793	-	103,635,814	103,635,814	0.0%
Total Costs	-	-	53,426,603	53,412,422	-	106,839,025	106,839,025	0.0%
General Fund	-	-	6,833,419	6,826,581	-	13,660,000	13,660,000	0.0%
State/other Special Rev. Funds	-	-	21,583,958	21,576,615	-	43,160,573	43,160,573	0.0%
Federal Spec. Rev. Funds	-	-	25,009,226	25,009,226	-	50,018,452	50,018,452	0.0%
Total Funds	-	-	53,426,603	53,412,422	-	106,839,025	106,839,025	0.0%

Agency Narrative

The Department of Commerce is provided \$106.8 million in funding for a number of economic development, stabilization, and infrastructure creation programs.

Purpose of Funds*Exchange of Funding Source*

Federal funds are being used to displace four general fund programs that were funded as one-time-only appropriations in House Bill 2: the Worker Training Program, the Montana Main Street Program, The Tribal Economic Development program, and the Energy Promotion and Development Division. This bill includes language that voids the general fund appropriations in HB 2 for these programs if funded in this bill.

Programs Funded with Freed-Up general fund

A number of projects are being funded with the general fund dollars that are now available because of federal funds offsetting the general fund in various programs. The Distressed Wood Product Industry Recovery and Stabilization Program (WPIRS) uses these funds in conjunction with other federal funds to establish a revolving loan account to provide a financing option to the Montana wood products injury with the goal of helping the affected companies retain jobs and industry infrastructure in Montana.

Broadband matching grants use the general fund to supply state grants to match the federal program funds for unserved or underserved communities.

The School Facilities Account and the Treasure State Endowment Program (TSEP) will receive a total of \$63.5 million in general fund transfers to be used for grants. The department is administering the school facilities grants because of the similarities to the TSEP grant administration. Additional state special authority is requested to accommodate the increased grant funding in TSEP.

Expansion of Existing Federally Funded Programs

Community Development Block Grant (CDBG) funding is doubled with the implementation of the American Recovery and Reinvestment Act (ARRA). These funds will be awarded by formula for economic development, housing, or public facilities projects sponsored by municipal or county governments.

The housing division is provided additional federal funding for distribution of tax credits to qualified housing projects throughout the state. These tax credits fill the gap between eligible amounts and amounts previously available in fiscal years 2007, 2008, and 2009. In addition, federal funds are provided to the division for the exchange of a portion of the unused tax credits for the building of low-income housing projects within the state. These funds then can be granted to eligible projects to fill funding gaps to get these projects built in lieu of the tax credit.

Statutory Changes

There are no statutory changes required.

Conditions and Limitations

Conditions and limitations are noted in the Purpose of Funds section and Decision Package Narratives.

Figure 2

6501 Department Of Commerce				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP051000 Distressed Wood Prod. Industry	3,752,548	3,747,452	7,500,000	3,752,548	3,747,452	7,500,000
NP051002 Community Development Block Program	-	-	-	914,939	914,939	1,829,878
NP074001 Tax Credit Assistance Program	-	-	-	3,909,180	3,909,180	7,818,360
NP074002 Housing Credit Exchange	-	-	-	15,389,250	15,389,250	30,778,500
NP09000 New Worker Training	-	-	-	3,997,361	3,997,361	7,994,722
NP090006 Broadband Matching Grants	2,500,871	2,499,129	5,000,000	2,500,871	2,499,129	5,000,000
NP090007 School Facilities Administration & Grants	-	-	-	21,502,800	21,497,200	43,000,000
NP09001 Tribal Economic Development	-	-	-	798,496	798,496	1,596,992
NP09002 Montana Main Street Program	125,000	125,000	250,000	125,000	125,000	250,000
NP09003 Energy Division (Promotion)	455,000	455,000	910,000	455,000	455,000	910,000
NP09020 TSEP Operations - Stimulus	-	-	-	81,158	79,415	160,573
New Proposal Total	6,833,419	6,826,581	13,660,000	53,426,603	53,412,422	106,839,025
Total All Decision Packages	6,833,419	6,826,581	13,660,000	53,426,603	53,412,422	106,839,025

Decision Package Narrative

DP-9000 Worker Training - This item requests appropriation of \$3,997,361 federal special revenue annually (\$7,994,722 over the biennium) for worker training grants to train both new and existing workers.

DP-9001 Tribal Economic Development - This item requests appropriation of \$798,496 federal special revenue annually (\$1,596,992 over the biennium) to support tribal business development projects, workforce training projects, entrepreneurial training, feasibility studies, and other types of Tribal economic development activities and projects.

DP-9002 Montana Main Street Program - This item requests appropriation of \$125,000 federal special revenue annually (\$250,000 over the biennium) to help communities rejuvenate their downtown and historic districts.

DP-9003 Energy Promotion and Development Division - This item requests appropriation of \$455,000 federal special revenue annually (\$910,000 over the biennium) to continue the operation of the division.

DP-90006 Broadband Matching Grants - This item requests appropriation of \$5,000,000 over the biennium to provide grants for local matching of federal funds to provide broadband services to people in un-served or underserved areas.

DP-51000 Distressed Wood Product Industry - This item requests appropriation of \$3,752,548 general fund annually (\$7,500,000 over the biennium) to establish a program to retain and create jobs and aid in the retention of wood products industry infrastructure in Montana.

DP-510002 Community Development Block Grants - This item requests appropriation of federal special revenue spending authority for \$1,829,878 in CDBG funds for economic development, housing, or public facilities projects sponsored by municipal or county governments.

DP-90007 School Facilities Administration and Grants - This item requests appropriation of \$43.0 million state special revenue for funds transferred to the agency in order to administer school facility grants.

DP-9020 TSEP Operations - This item requests appropriation of \$160,573 state special revenue to administer the Treasure State Endowment Program. That provides grants to localities for infrastructure projects.

DP-74001 Tax Credit Assistance Program - Provides federal funding to fill equity gaps of tax credits issued in 2007, 2008, and 2009. Credits are distributed competitively through the federal HOME program formula.

DP-74002 Housing Credit Exchange - Federal special revenue spending authority for proceeds of unused housing project tax credits exchanged for cash to be used to fill funding gaps for eligible housing projects.

Alternatives and Policy Options

Policy questions that the legislature may want to consider revolve around the use of freed-up general fund for new or expanded projects. The remaining federal funding is structured for distribution in existing programs or through specific uses defined in the ARRA.

SECTION A DEPARTMENT OF LABOR AND INDUSTRY

Figure 1

6602 Department Of Labor & Industry Legislative Budget Comparison Table						All Programs		
Federal Stimulus Budget Version	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Budget Item								
Personal Services	-	-	3,301,431	699,586	-	4,001,017	4,001,017	0.0%
Operating Expenses	-	-	3,612,520	677,686	-	4,290,206	4,290,206	0.0%
Grants	-	-	6,790,340	272,534	-	7,062,874	7,062,874	0.0%
Total Costs	-	-	13,704,291	1,649,806	-	15,354,097	15,354,097	0.0%
Federal Spec. Rev. Funds	-	-	13,704,291	1,649,806	-	15,354,097	15,354,097	0.0%
Total Funds	-	-	13,704,291	1,649,806	-	15,354,097	15,354,097	0.0%

Agency Narrative

The Department of Labor and Industry is provided \$15.3 million in federal fund spending authority for worker and community benefit programs including worker training programs, special assistance to workers displaced by trade activities, re-employment services, job search assistance, funding for community service programs, and funding for the modernization and administration of the Unemployment Insurance Program.

Additional funding for the extension and expansion of unemployment insurance payments are discussed in the decision package and purpose of funds sections below, but are not appropriated in this bill because the funds are transferred into a proprietary enterprise account that does not require appropriation for the payment of benefits to claimants.

Purpose of Funds

The federal stimulus funds that are being made available through the Department of Labor and Industry fall in to three broad categories; assistance to individuals, assistance to the state unemployment system, funding of community service programs. The assistance to individuals comes in the form of assistance for job searches, job training, and direct payment of benefits. The assistance to the state unemployment system includes funding for administration and expansion of current operations as well as temporary financial support for a modernization program that includes expanded classes of unemployment beneficiaries and an alternative base period for the calculation of benefits to claimants.

Assistance to Individuals

The federal Workforce Investment Act is being used as the vehicle for the distribution of over \$5.9 million for adult, youth, and dislocated worker training programs currently being operated by the department. These programs are geared toward an individual's job skill progression, job re-training, and new job search.

The Trade Adjustment Assistance program is being extended in this funding package. TAA/TRA grants contain both direct aid and funding for job re-training / new job search activities for workers in industries that are negatively impacted by the North American Free Trade Agreement (NAFTA) and/or by the movement of jobs abroad.

Using the Wagner-Peysner Act funding formula, federal funds are made available to the state to aid both general employment services and for re-employment of current UI benefit claimants. This program provides claimant servicing, job matching, and re-employment services.

Through the adoption of specific federally recommended unemployment system modernization initiatives, the state is eligible for temporary additional funding to support added benefit classes and expanded unemployment costs. The state has adopted an alternative base period that makes the look-back period, by which an individual's unemployment benefits are based, flexible in order to allow a larger number of claimants to qualify for benefits. In addition, the state has chosen to adopt two (benefits for part-time employees and benefits for individuals participating in approved worker training programs) of four optional expanded coverage items. These two changes are expected to cost the state unemployment system an estimated total of \$10.0 million each year. The stimulus funding provides funding for the initial two years, but the cost to the state will continue beyond 2011 because the modernization elements remain in statute. The federal act requires that the changes to state statute do not contain a "sunset" provision. There is however no restriction on what actions subsequent legislative sessions may take.

The largest component of direct assistance to individuals comes in the form of 100% federally funded unemployment insurance benefits paid directly to claimants. Including the additional benefits for UI program modernization and the \$25 per week benefit increase for claimants, the total additional funding is over \$207 million. Only the administration portion is appropriated in this bill. The remaining funding is provided by federal transfer of funds into a proprietary enterprise account that does not require appropriation for the payment of benefits to claimants.

Assistance to the State Unemployment Insurance Program

Each funding program provides an allowance for program administration, but there are also two specific transfers dealing with providing funding for program operations. The first is a general operational expense transfer for the administration of the UI program, improved outreach, benefit and tax operations, and staff-assisted re-employment services for UI compensation claimants. The second is a funding program to aid the state program for unemployment compensation modernization. This includes the adoption of an Alternative Base Period (ABP) and expanding UI benefits to additional classes of claimants.

Funding for Community Service Programs

The bill provides federal funding for existing grant programs directly administered or administratively attached to the department. These programs include the Senior Community Service Employment Program (SCEP), which is contracted through the Workforce Services Division and the Americorps Program. Both of these have existing activities that will be extended with the additional funding.

Statutory Changes

There are statutory changes required for the state to receive funding from the unemployment program modernization funds. These changes are included in the language of the bill and they include the adoption of the Alternative Base Period (ABP) and the inclusion of two (benefits for part-time employees and benefits for individuals participating in approved worker training programs) of four options for expansion of benefits to classes of claimants not previously covered. These changes in statute are required to be permanent in so much as they are not allowed to contain a "sunset" provision. Combined, these changes are expected to cost the state unemployment system an estimated \$10.0 million each year. The stimulus act provides funding for the initial two years, but not subsequent years if the modernization elements remain in statute

Conditions and Limitations

The majority of the funding being made available to the agency comes through existing federal programs or grant formulas and is therefore subject to the conditions and limitations that currently exist for those programs. The only exception to this is the condition placed on the UI program modernization funds that require changes in statute as discussed above.

Figure 2

6602 Department Of Labor & Industry				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP010001 Temporary Extension of TAA	-	-	-	1,202,742	400,914	1,603,656
NP010002 WIA - Adult	-	-	-	1,246,876	-	1,246,876
NP010003 WIA - Youth	-	-	-	2,947,501	-	2,947,501
NP010004 WIA - Dislocated Worker	-	-	-	1,728,008	-	1,728,008
NP010005 State Employment Services (Wagner-Peyser)	-	-	-	1,104,669	-	1,104,669
NP010006 Re-employment Services to benefit UI Claimants	-	-	-	1,380,835	460,279	1,841,114
NP010007 Community Service Employment for Older Americans	-	-	-	147,000	-	147,000
NP020001 Extend Emergency Unemployment Compensation Prc	-	-	-	1,968,103	-	1,968,103
NP020002 Temporary Extension of TAA Program	-	-	-	113,242	73,585	186,827
NP020003 Increase UI Compensation Program (\$25 weekly)	-	-	-	190,628	-	190,628
NP020004 Special Transfer for UI Comp Modernization	-	-	-	340,271	154,748	495,019
NP020005 Special Transfer for UI Administration	-	-	-	834,416	560,280	1,394,696
NP070001 Americorps - Grants	-	-	-	500,000	-	500,000
New Proposal Total	-	-	-	13,704,291	1,649,806	15,354,097
Total All Decision Packages	-	-	-	13,704,291	1,649,806	15,354,097

Decision Package Narrative

DP-10001 Temporary Extension of Trade Adjustment Assistance Program – This item requests appropriation of \$1,202,742 in FY 2010 and \$400,914 in FY 2011 of federal special revenue for the temporary extension of the Trade Adjustment Assistance (TAA) Program.

DP-10002 Workforce Investment Act Adult Training – This item requests appropriation of \$311,719 in FY 2009 and \$935,157 in FY 10 of federal special revenue to the Workforce Services Division at the Department of Labor and Industry for WIA adult training programs.

DP-10003 Workforce Investment Act Youth Training - This item requests appropriation of \$736,875 in FY 2009 and \$2,210,626 in FY 2010 of federal special revenue to the Workforce Services Division at the Department of Labor and Industry for WIA youth training programs.

DP-10004 Workforce Investment Act Dislocated Worker Training – This item requests appropriation of \$432,002 in FY 2009 and \$1,296,006 in FY 2010 of federal special revenue to the Workforce Services Division at the Department of Labor for WIA dislocated worker training grants.

DP-10005 State Employment Services – This item requests appropriation of \$276,167 in FY 2009 and \$828,502 in FY 2010 of federal special revenue to the Workforce Services Division of the Department of Labor for state employment services and re-employment grants. Funding is included for job servicing operation and job matching. The appropriation amount is based on the federal Wagner-Peyser funding formula. Montana currently receives approximately 1% of the total federal funding.

DP-10006 Re-employment Services to Benefit UI Claimants – This item requests appropriation of \$1,380,835 in FY 2010 and \$460,279 in FY 2011 of federal special revenue to the Workforce Services Division of the Department of Labor and Industry for re-employment services to benefit unemployment insurance claimants.

DP-10007 Community Service Employment for Older Americans – This item requests appropriation of \$36,750 in FY 2009 and \$110,250 in FY 2010 to the Workforce Services Division of the Department of Labor and Industry for the Senior Community Service Employment Program (SCEP), which is contracted through the WSD.

DP-20001 Extended Emergency Unemployment Compensation – This item requests appropriation of \$74,388,749 in FY 2009 and \$51,425,258 in FY 2010 (\$1,968,103 included in HB 645) to the Unemployment Insurance Division of the Department of Labor and Industry for emergency unemployment compensation. This 100% federally funded appropriation extends the payment of emergency compensation through December 31, 2009.

DP-20002 Temporary Extension of TAA TRA Program – This item requests appropriation of \$1,157,418 in FY 2009, \$10,552,874 in FY 2010, and \$4,372,897 in FY 2011 (\$186,827 included in HB 645) federal special revenue to the Unemployment Insurance Division of the Department of Labor and Industry for the temporary extension and expansion of the Trade Adjustment Program. This will expand TAA and TRA benefits to service sector and public agency workers negatively impacted by NAFTA

DP-20003 \$25 Weekly UI Compensation Increase – This item requests appropriation of \$5,582,257 in FY 2009 and \$16,746,771 in FY 2010 (\$190,628 included in HB 645) federal special revenue to the Unemployment Insurance Division of the Department of Labor and Industry for the increase in weekly benefits of all claimants (including EUC) by \$25 per week for all claims filed before January 1, 2010. The increased benefit will expire on June 30, 2010.

DP-20004 UI Modernization – This item requests appropriation of \$2,019,819 in FY 2009, \$9,217,807 in FY 2010, and \$9,552,398 in FY 2010 (\$495,019 included in HB 645) of federal funds to the Unemployment Insurance Division of the Department of Labor and Industry for the special transfer of federal funds for unemployment compensation modernization. This includes funding for the adoption of an Alternative Base Period (ABP) and the adoption of legislation expanding UI benefits.

DP-20005 Special Transfer for UI Administration – This item requests appropriation of \$259,438 in FY 2009, \$574,933 in FY 2010, and \$565,583 in FY 2011 of federal special revenue to the Unemployment Insurance Division of the Department of Labor and Industry for the administration of the UI program, improved outreach, benefit and tax operations, and staff-assisted re-employment services for UI compensation claimants.

DP-20006 Full Federal Funding of Extended Unemployment Benefits – This item requests appropriation of \$24,953,478 (funding is not included in HB 645) federal special revenue to the Unemployment Insurance Division of the Department of Labor and Industry to provide 100% federally funded extended unemployment compensation through June 1, 2010. These benefits are usually funded 50% state – 50% federal.

DP-70001 Americorps Grants – This item requests appropriation of \$500,000 in FY 2009 to the Office of Community Service of the Department of Labor and Industry for the distribution of grants to existing Americorps programs.

Alternatives and Policy Options

The primary policy question the legislature may want to consider is the acceptance of the funds related to the UI program modernization. The acceptance of these funds require a change in statute that will result in an increased cost to the program that will not be supported by the federal funds beyond the funding provided by the federal stimulus act. The Department of Labor estimates that the cost of the expanded coverage will be \$10 million each year. The current UI tax rate may provide a sufficient revenue stream to support the additional cost, but if it does not the legislature may be faced with the question of increasing the tax to employers to support the expanded benefits in the future.

SECTION A DEPARTMENT OF MILITARY AFFAIRS

Figure 1

6701 Department Of Military Affairs Legislative Budget Comparison Table							All Programs	
Federal Stimulus Budget Version Budget Item	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Operating Expenses	-	-	48,500	-	-	48,500	48,500	0.0%
Equipment & Intangible Assets	-	-	-	-	-	-	-	0.0%
Transfers	-	-	1,231,068	-	-	1,231,068	1,231,068	0.0%
Total Costs	-	-	1,279,568	-	-	1,279,568	1,279,568	0.0%
General Fund	-	-	-	-	-	-	-	0.0%
Federal Spec. Rev. Funds	-	-	1,279,568	-	-	1,279,568	1,279,568	0.0%
Total Funds	-	-	1,279,568	-	-	1,279,568	1,279,568	0.0%

Agency Narrative

The department is provided \$1,279,568 federal special revenue for National Guard Bureau approved projects to improve, repair and modernize facilities.

Purpose of Funds

Federal funds made available through the American Recovery and Reinvestment Act to the Department of Defense are to improve, repair and modernize facilities. The projects listed in the decision packages have been approved by the National Guard Bureau. A number of these projects have funding that will be transferred to IIB 5 long-range building projects.

Statutory Changes

There are no statutory changes required.

Conditions and Limitations

Funds are required to be obligated by September 30, 2010.

Figure 2

6701 Department Of Military Affairs				All Programs		
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP012002 Billings Armory - Water Recycler	-	-	-	18,500	-	18,500
NP012003 Ft. Harrison Bldg. 412 Mechanical	-	-	-	30,000	-	30,000
NP012004 Culbertson Armory - Female Latrines	-	-	-	225,900	-	225,900
NP012005 Malta Armory - Female Latrines	-	-	-	225,900	-	225,900
NP012006 Statewide Armories - Vault Modifications	-	-	-	500,000	-	500,000
NP012007 Ft. Harrison - Helicopter Dip Sites	-	-	-	279,268	-	279,268
New Proposal Total	-	-	-	1,279,568	-	1,279,568
Total All Decision Packages	-	-	-	1,279,568	-	1,279,568

Decision Package Narrative

DP-12002 Billings Armory – Water Recycler – This item requests appropriation of \$18,500 federal special revenue in FY 2010 with any unspent funds available in FY 2011 to the ANG program for the “Billings Armory Water Recycler” project.

DP-12003 Ft. Harrison Bldg. 412 Mechanical - This item requests appropriation of \$30,000 federal special revenue in FY 2010 with any unspent funds available in FY 2011 to the ANG program for the “Fort Harrison Building 412 Mechanical” project.

DP-12004 Culbertson Armory Female Latrines - This item requests appropriation of \$225,900 federal special revenue in FY 2010 with any unspent funds available in FY 2011 to the ANG program for the “Culbertson Armory Female Latrines” project.

DP- 120005 Malta Armory Female Latrines - This item requests appropriation of \$225,900 federal special revenue in FY 2010 with any unspent funds available in FY 2011 to the ANG program for the “Malta Armory Female Latrines” project.

DP-120006 Statewide Armories Vault Modifications - This item requests appropriation of \$500,000 federal special revenue in FY 2010 with any unspent funds available in FY 2011 to the ANG program for the “Statewide Armories Vault Modifications” project.

DP-120006 Ft Harrison Helicopter Dip Sites- This item requests appropriation of \$279,268 federal special revenue in FY 2010 with any unspent funds available in FY 2011 to the ANG program for the “Fort Harrison Helicopter Dip Site” project.



A partnership for job creation and
economic diversification through
infrastructure investment in
value-added agriculture and
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INTRODUCING THE

MONTANA

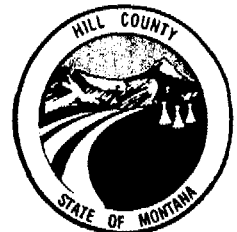
Agro-ENERGY

INDUSTRIAL PARK

A cooperative project between




Bear Paw Development Corporation
of Northern Montana



Engineer's Preliminary Construction Cost Estimate

Montana Agro-Energy Industrial Park Development Plan Hill County, Montana

Prepared for:



Option #1 - Interior Cul-De-Sac w/Recommended Alternatives

Phase 1 Infrastructure

Item	Description	Total Cost
1	Transportation	
	Roads	
	-Alternative Road A (30' Wide)	\$43,100.00
2	Water Supply	
	-Alternative A (Individual Wells)	\$72,000.00
3	Wastewater Treatment	
	-Alternative A (Individual Septic Systems)	\$130,400.00
4	Utilities	
	-Gas	\$192,000.00
	-Phone	\$30,000.00
	-Power	\$15,000.00
5	Fire Protection	
	-Fire Storage Pond	\$174,700.00
Phase 1 Infrastructure Development Subtotal		\$657,200.00

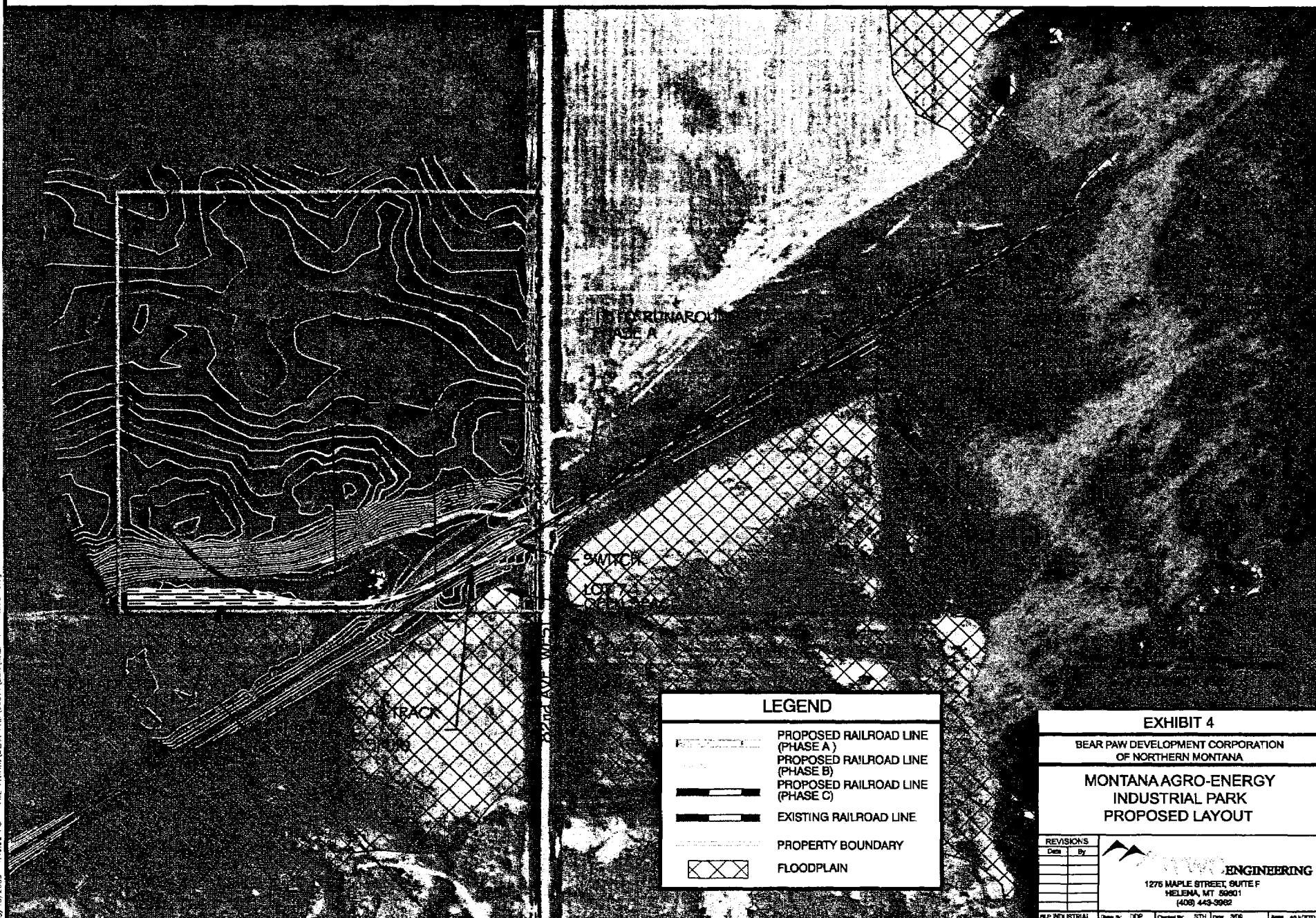
Phase 2 Infrastructure

Item	Description	Total Cost
1	Transportation	
	Rail Spur	
	-Alternative Rail Spur A	\$2,368,800.00
Phase 2 Infrastructure Development Subtotal		\$2,368,800.00
Infrastructure Development Total		\$3,026,000.00

Notes:

- ¹ Costs provided are preliminary estimates only. All estimates need to be verified following final design of improvements.

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Testimony of Tim Baker, Executive Director
Montana Wilderness Association
House Bill 645
March 12, 2009

EXHIBIT 3
DATE 3/12/09
HB 645

On behalf of the Montana Wilderness Association and its more than 5,000 members, please consider the following comments regarding the proposed revolving loan fund for the timber industry (Department of Commerce, line d, Distressed Wood Products Industry). The Montana Wilderness Association supports this funding.

The recession and general economic malaise now faced by our country has made the health of the wood products industry in Montana tenuous at best.

The Montana Wilderness Association has had a difficult relationship with the wood products industry over the years, but times have changed. Today, many conservationists and other folks who care about the state of our forests want to maintain and support the existing small mill infrastructure in Montana.

If we are to protect our world-class fisheries and hunting opportunities, and meet the challenges presented by climate change, we need an integrated wood products industry and associated trained work force that can work in the woods and perform the vital work that needs to be done. These activities include projects to improve fish and wildlife habitat, watershed health, and recreational opportunities, and address forest health and wildfire risk.

For these reasons, it is vital to Montana that our small mill infrastructure (and supporting secondary infrastructure that these mills depend on) receive economic support during these trying times.

Thank you for your consideration.

EXHIBIT 4
DATE 3/12/09
HB 645



MONTANA PRESERVATION WORKS PROGRAM

With American Recovery and Reinvestment Act monies, the state of Montana has a tremendous opportunity to address the needs of heritage properties that are central to community identity and at the same time protect the environment, create jobs, revitalize our cities and towns, and increase tourism. These projects are public works in the truest sense. Across Montana, buildings owned by the state, counties, local municipalities, or non-profits cry out for everything from the most basic repair and stabilization to rehabilitation. Preserving our historic buildings will generate skilled labor employment and economic vitality, and a renewed sense of pride and optimism statewide.

The Montana Preservation Works Program

would provide **\$10 million** directly toward historic preservation projects that would quickly and positively impact the economic vitality of Montana's communities.

Montana's Historic Infrastructure: \$6.5 million
for direct "bricks and mortar" grants statewide

Montana's Agricultural Heritage: \$750,000
for grants to owners of historic barns and agricultural buildings statewide

Montana's County Courthouses: \$1.5 million
for courthouse assessment and bricks and mortar grants

Montana Local Preservation: \$1 million
to be distributed to the CLGs, Tribal Preservation Offices, and Preserve America communities to sustain their own, small grant programs

Montana State Historic Preservation Office: \$250,000
for data upgrades streamlining the granting/consulting process

EXHIBIT 4
DATE 3/12/09
HB 645



PUBLIC WORKS FOR PUBLIC GOOD: HISTORIC PRESERVATION PROJECTS IN MONTANA

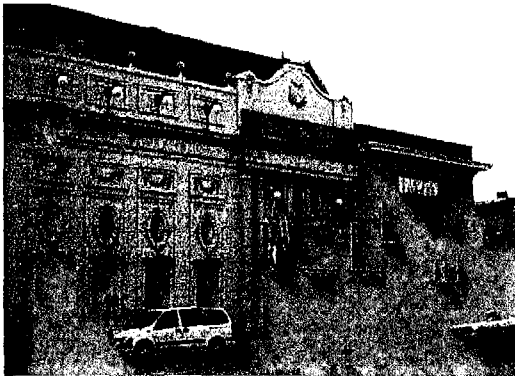
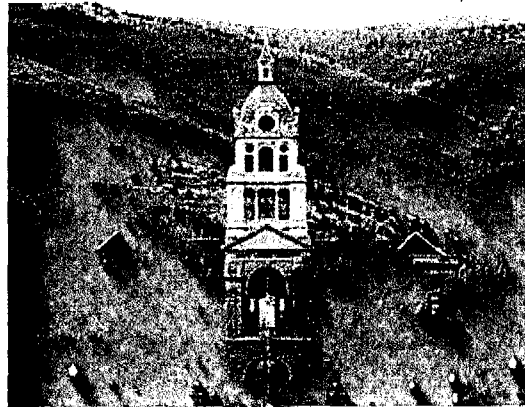
With the American Recovery and Reinvestment Act monies, the state of Montana has a tremendous opportunity to address the needs of properties that are central to community identity and at the same time, protect the environment, create jobs, revitalize our cities and towns, and increase tourism. These projects represent true public works, as buildings owned by the state, counties, local municipalities, or non-profits cry out for everything from the most basic repair and stabilization to rehabilitation that brings not only well-paying skilled labor employment and economic vitality, but also a renewed sense of pride and optimism statewide.

Realizing these completed projects would provide a lasting legacy for Montana.

MONTANA'S COUNTY COURTHOUSES, STATEWIDE

Today, 48 of Montana's 56 county courthouses are historic, and in many counties they are the most prominent buildings. As courthouse uses evolve & technology changes, counties are challenged to step into the 21st century. Many counties recognize that retaining their architectural legacy and a link to local heritage is important to the health of communities. They need help to find creative ways to adapt and to finance projects that will give these stately buildings a new life.

Investment cost: \$1,500,000



RIALTO THEATER, DEER LODGE

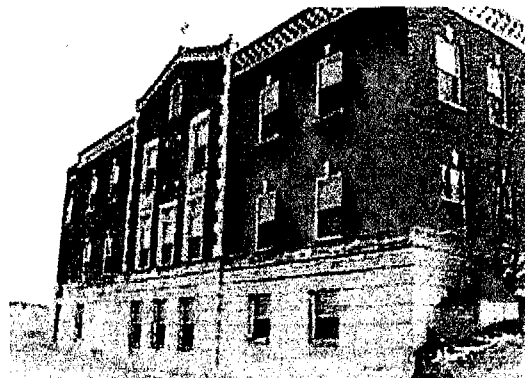
The theater is owned by a non-profit and would be used for screening of movies, public presentations, and musical and theatrical performances. A significant portion of this National Register listed property burned to the ground in 2006 shortly after the completion of a multi-year, community-led restoration effort. The lobby and terra cotta façade remain intact while the theater space is being reconstructed. Since the fire the theater organization has raised just under \$2M with a goal of \$3.5M.

Investment cost: \$1,500,000

ST. JOSEPH'S HOSPITAL NURSES' BUILDING, LEWISTOWN

The Nurses' Building would be used for elderly housing. The City of Lewistown owns this National Register listed property and has been seeking to convert this vacant building into an 8-unit apartment complex as part of a larger, 24-unit Low Income Housing Tax Credit Project. Major renovation and restoration efforts are required to bring this stately building back into public use.

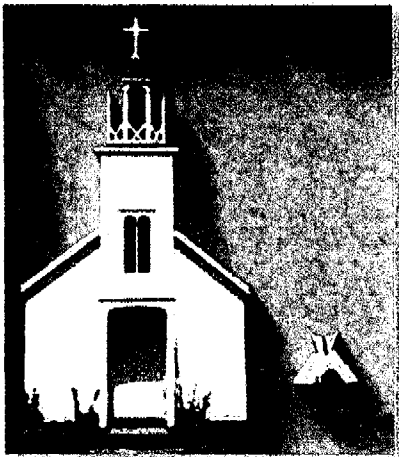
Investment cost: \$1,172,769



**BANNACK NATIONAL HISTORIC LANDMARK,
BANNACK**

The Bannack National Historic Landmark recalls the earliest non-Indian history of Montana. The town was founded in 1862 and became the first territorial capital in 1864. Now a state park, the property consists of over sixty standing structures, many of which are in need of stabilization and improved preservation activities. With proper funding, FWP could restore cabins there to establish a cabin rental program, much like the Forest Service's very successful program.

Investment cost: \$500,000



ST. MARY'S MISSION, STEVENSVILLE

Established in 1841 by Father De Smet, St. Mary's Mission is the first permanent settlement in what was to become Montana. The goal of St. Mary's is to provide and to promote a cross-cultural, transgenerational, educational experience, to strengthen ties with Indian culture, and to improve the local economy through tourism. There are several buildings at the site that are in need of maintenance and repair, including utility upgrades and stabilization.

Investment cost: \$300,000

DALY MANSION, HAMILTON

The property was the summer home of the Marcus Daly family in the heart of the Bitterroot Valley. The mansion is an intrinsic part of the history of Montana, a key to successful cultural tourism in the area. The state owns the property, which requires ongoing restoration and landscaping projects vital to the continued success of the property.

Investment cost: \$500,000



YWCA, HELENA

This stately brick building has provided transitional housing for homeless women and children since the building's completion in 1918. Following about fifty years of deferred maintenance, the Helena YWCA is in need of roof replacement; stabilization of fire escapes; repair of exterior decking and balustrades of upper level balconies; replacement of rain gutters & downspouts; energy conservation and weatherization; repointing and stabilization of exterior brick veneer; upgraded accessibility to comply with American with Disabilities Act; modernization of radiators and bathroom facilities; construction of a commercial grade kitchen to serve the residents in 35 leased rooms.

Investment cost: \$1,001,000



234 Y.W.C.A. Helena, Mont.

MISSOULA COUNTY COURTHOUSE, MISSOULA

The Missoula County Courthouse, designed by A.J. Gibson, Missoula's premier architect, was constructed between 1908 and 1910 and occupies an entire city block. This important landmark requires ADA compliance work, repair to its sidewalks and retaining walls, as well as interior restoration and site development.

Investment cost: \$215,000

**FORT MISSOULA, MISSOULA**

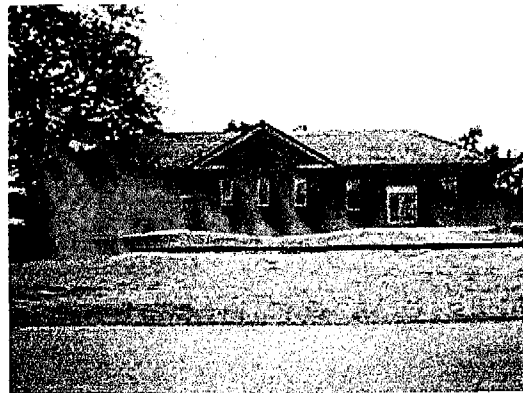
The Fort Missoula Historic District is in need of site improvements to increase accessibility to sites and buildings within the district. Of particular need of access and restoration is building T-1, the WW II Post and Detention Center Headquarters, which is now part of the Historical Museum at Fort Missoula, owned and managed by Missoula County. The original architectural drawings are in hand, and modifications to the property can be prepared in sixty days. Trails and walkways need to be constructed throughout the district, and the Detention Center area needs access and site development for public use.

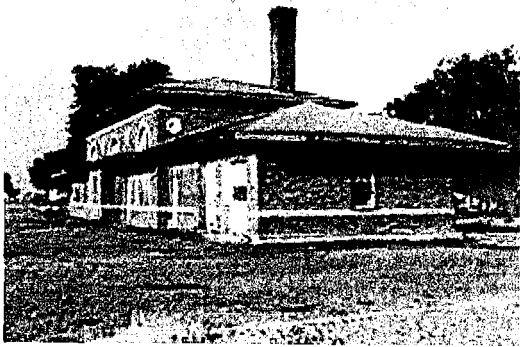
Investment cost: \$450,000

HARDIN RAILROAD DEPOT, HARDIN

The 1922-23 Hardin Depot served the community and the surrounding area for many years. The depot closed in 1991 and fell into disrepair until a concerted community effort began in 1998. More work needs to be done to make the Depot a viable structure for the community including roof repair, HVAC and plumbing updates, and window and door restoration. These improvements could commence immediately upon receipt of funding. Big Horn County, with one of the state's highest unemployment rates, would benefit greatly from funds which would offer income for the community.

Investment cost: \$65,000





NORTHERN PACIFIC DEPOT, MILES CITY

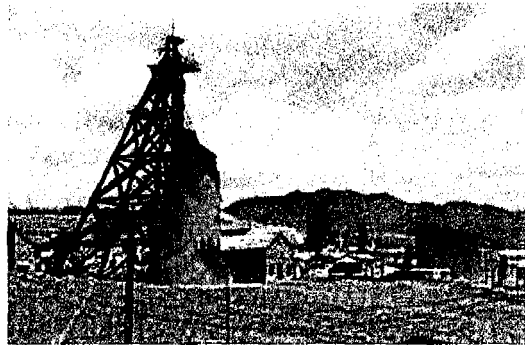
The lovely Renaissance Revival-style Northern Pacific Railway Depot in Miles City is rapidly deteriorating and town citizens are charting a new course for the building. Completed in 1923, the building has not been used since passenger service along the line ceased in 1979. In 2008, the city learned that the owners, Burlington Northern Santa Fe, proposed to demolish the building. The mayor and town citizens rallied BNSF to put that plan on hold until a better plan can be created. Miles City is now working with BNSF to chart a rehabilitation plan and address concerns about liability while the building is in disrepair. The city needs assistance funds to progress with a condition assessment and preservation planning.

Investment cost: \$60,000

ORIGINAL MINE HOIST HOUSE, BUTTE

The historic industrial structures in Butte are among the most important in Montana's mining history. The Original Mineyard Hoisting House was built in 1898 and housed a steam powered hoist engine. While there are 10 hoist houses still standing in Butte, the Original and Stewart mineyards are the only two that still contain nearly intact steam hoist engines. Owners, Butte-Silver Bow County have plans in place to re-roof the hoist house, preserving it for future interpretive use.

Investment cost: \$40,000



GILBERT BREWERY, VIRGINIA CITY

Launched in 1863, the Gilbert Brewery in Virginia City represents the oldest intact pioneer brewery in the West. The brewery complex is quite rare in that much of the original equipment, mash barrels, malting towers, and fermentation barrels are still located in the building, along with the Brewery Follies, a cabaret-style theater production company. Substantial monies are required to help the Montana Heritage Commission pay for stabilization.

Investment cost: \$350,000

ADAMS STONE BARN, SUN RIVER

Comissioned in 1885, the grand J.C. Adams Stone Barn northeast of Sun River used local sandstone and archways shipped from the East Coast to Fort Benton. The barn is roughly 40 feet wide and 140 feet long, and a life-size stallion weather vain now perches on top. This iconic building is undergoing a major restoration process, and is in great need of window rehabilitation.

Investment cost: \$40,000





BOULDER RIVER SCHOOL, BOULDER

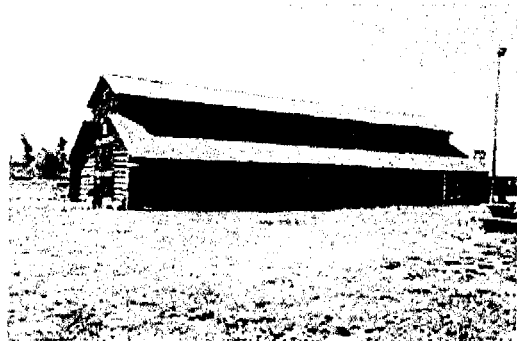
The historic buildings at the Boulder River School lay vacant and deteriorating. These wonderful buildings embody huge potential for rehabilitation and economic vitality. Community efforts are underway to identify the best use of the property and engage in a historic preservation and re-use plan.

Investment cost: \$8,000,000

MADISON COUNTY FAIRGROUNDS, TWIN BRIDGES

Two multiuse buildings and the grandstands at the historic fairgrounds have been identified as needing major structural and code upgrades in order to make these facilities safe for the public while maintaining historic qualities. The County has no revenue source to complete this project. A Preliminary Engineering and Architectural Report has identified the solutions to the problems. This effort will enable design drawings and contract documents to be completed and ready for bid within 120 days of a notice to proceed.

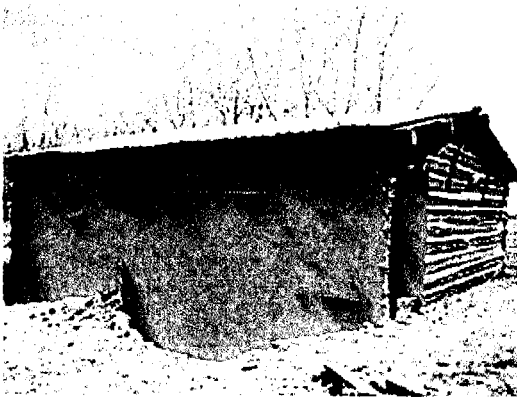
Investment cost: \$800,000



REED AND BOWLES TRADING POST, AND REED'S FORT POST OFFICE, LEWISTOWN

An application is being prepared to list these two individual properties in the National Register of Historic Places. The former trading post is on the Nez Perce Trail and was a stopping point for the Nez Perce on September 21, 1877 on their route to the Bears Paw Battlefield. The structure is on county owned land and is in need of stabilization and restoration. The post office is the first such facility in Lewistown, and in need of rehabilitation. An investment of \$10,000 for each would serve to preserve and interpret these historic properties.

Investment cost: \$20,000



VIRGINIA CITY METHODIST CHURCH

One of the most intact structures owned by the Montana Heritage Commission, the Greek Revival-style Methodist Church is currently used for storage and has been out of public use for decades. It is no longer an active church, but is a beautifully preserved building that needs some TLC to be put to beneficial use. The town is in desperate need of classroom and small community hall meeting space for both public and private functions. This building is ideally located for this, if funding were acquired to fund its rehabilitation.

Investment cost: \$81,000



In addition to public buildings and non-profit projects, a program to fund the restoration and rehabilitation of privately owned historic properties would result in tangible economic benefits in their respective communities. Job creation, commercial revitalization, and heritage tourism benefits are just a few of the lasting rewards that would be experienced in Montana.



HENNESSEY BUILDING ANNEX, BUTTE

This five-story building is owned by a Butte developer who has plans to develop it into commercial space on the ground floor and apartments on the upper three floors. The owner has sought partners who would "purchase" tax credits under the Federal Rehab Tax Credit Program, but has not been successful. Both the Montana SHPO and NPS have reviewed and approved the rehabilitation plan.

Investment cost: \$4,000,000

FORMER FEDERAL BUILDING AND POST OFFICE, HAVRE

The magnificent US Federal Building and Post Office in Havre provides an elegant anchor to the Commercial District of that community. At over three stories, the building retains high potential for development for retail, professional, and residential tenants. The upper floors and lower level would need improvements to make them function for residential and commercial uses. Developers have made serious inquiries regarding the rehabilitation of this property, but the absence of viable grant and credits programs have made rehabilitation cost prohibitive.

Investment cost: \$2,000,000



MONTANA BARN

The Montana SHPO established a barn grant program in 2005 and has awarded \$80,000 in that time. The number of applicants and cost of projects indicate the needs of historic barns exceed the available funds. One project MTSHPO is funding at a level of \$15,000 is the re-roofing and structural stabilization of the Big Barn at the Naylor Ranch in Buffalo, which is part of a cattle operation. The project involves a re-roofing and structural stabilization costing more than \$50,000. Without an influx of funding this program will cease to exist.

Investment cost: \$750,000



For more information contact:
Montana Preservation Alliance
 120 Reeder's Alley, Helena, MT
 406-457-2822
www.preservemontana.org
info@preservemontana.org

EXHIBIT 5
DATE 3/12/09
HR 645

General Government Appropriations / Finance and Claims Joint Subcommittee

In Support of Federal Stimulus Dollars to
Fund a **Montana Energy Conservation Tax Credit**

National Center for Appropriate Technology (NCAT)

Montana currently has a tax credit for up to \$500 equal to 25% of an investment to make a home or business more energy efficient.

SB 37 was requested by the EQC and would raise the tax credit from \$500 to \$800. It is a consensus bill that was rated as the #1 tax credit priority and passed unanimously out of Senate Tax Committee last session. The fiscal note is about \$4.5 million.

Offering tax credits for energy efficiency is one thing we can do to lower Montanan's energy bills. It will put contractors back to work. It has bipartisan support.

Our recommendation is for this committee to work with Senate Tax Committee to temporarily increase the tax credit, add a sunset provision so it would revert to the current \$500 level in two years. We suggest the two committees agree on a fiscal note, the tax committee will craft a bill to match, then invest stimulus money in the tax credit.

Shifting money from energy costs to conservation investments, puts dollars in the local economy while putting Montanans to work.

This is as shovel ready as it gets.

NCAT applied an Oregon study of energy conservation tax credits to SB 37 and found that for fiscal year 2009:

For a \$4.5 million tax credit, Montanans would spend almost \$25 million, increasing the output in the Montana economy by \$13 million. 37 new jobs would be created, Montana wages would increase by \$1.2 million and tax revenues for local and state governments would increase \$1.1 million.

Linda Gryczan
NCAT
431-3635
conlin@mt.net



EXHIBIT 5
DATE 3/12/09
HB 645

Senate Finance and Claims Committee

In Support of Federal Stimulus Dollars to Fund
Six Food and Agricultural Development Centers

When a Montana farmer or rancher wants to add value to their crops or livestock, they go to a Food and Agriculture Development Centers for technical assistance, to help them create a marketable product. The centers help producers research, manufacture and market these products, so that Montanans can buy more of our food from Montanans, and spend our food dollars on Main Street in communities across the state.

A handful of the many companies helped by these centers are:

Timeless Seeds in Conrad, who with the help of the Mission Mountain Food Development Center in Ronan, developed a successful line of products sold in more than 300 grocery stores. While the economy has declined, demand at Timeless has doubled and they are adding a production line and jobs to go with it.

Bear Paw Development in Havre helped a group of farmers in Malta form Peaks and Prairies LLC, which manufactures bio based oil and lubricants. One of their products is a canola based chainsaw bar oil sold to the Forest Service and Weyerhaeuser.

35 value added producers process their food at a shared use commercial kitchen at the Fergus County Fairgrounds. Snowy Mountain Development Corporation in Lewistown assisted in the development and design.

WIRED (Workforce Investment in Regional Economic Development) federal funding has most recently funded five of these centers. That program is scheduled to end in January of 2010.

Grow Montana recommends that \$740,000 of stimulus money be invested in six Food and Agriculture Development Centers through 2010 and 2011 as matching funds, to keep the doors open for two years while other funding is secured.

This request is outlined in HB 583 which is in House Appropriations Committee. Some of these centers -- specifically the Bio-product Innovation Centers -- have already made a federal funding request in the form of SJ 11, which passed the Senate with only a handful of "no" votes.

This funding would fill an immediate need, create jobs in our rural communities, enable future economic activity, and provide a broader tax base. Grow Montana encourages you to amend stimulus money into HB 583.

Linda Gryczan / Grow Montana / 431-3635 / conlin@mt.net

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice of Request for Extension of a Currently Approved Information Collection

AGENCY: Rural Housing Service, USDA.

ACTION: Proposed collection; comments requested.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Rural Housing Service's (RHS) intention to request an extension for a currently approved information collection in support of the program for the Housing Preservation Grant Program.

DATES: Comments on this notice must be received by May 11, 2009 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Bonnie Edwards-Jackson, Finance and Loan Analyst, Multi-Family Housing Preservation and Direct Loan Division, USDA Rural Development, Stop 0781, 1400 Independence Ave., SW., Washington, DC 20250-0782, telephone (202) 690-0759 (voice) (this is not a toll free number) or (800) 877-8339 (TDD—Federal Information Relay Service) or via e-mail at, Bonnie.Edwards@wdc.usda.gov.

SUPPLEMENTARY INFORMATION:

Title: RHS/Housing Preservation Grant Program.

OMB Number: 0575-0115.

Expiration Date of Approval: June 30, 2009.

Type of Request: Extension of a currently approved information collection.

Abstract: The primary purpose of the Housing Preservation Grant Program is to repair or rehabilitate individual housing, rental properties, or co-ops owned or occupied by very low- and low-income rural persons. Grantees will provide eligible homeowners, owners of rental properties and owners of co-ops with financial assistance through loans, grants, interest reduction payments or other comparable financial assistance for necessary repairs and rehabilitation of dwellings to bring them up to code or minimum property standards.

Where repair and rehabilitation assistance is not economically feasible or practical the replacement of existing, individual owner occupied housing is available.

These grants were established by Public Law 98-181, the Housing Urban-Rural Recovery Act of 1983, which amended the Housing Act of 1979 (Pub. L. 93-383) by adding section 533, 42 U.S.C. S 2490(m), Housing Preservation

Grants (HPG). In addition, the Secretary of Agriculture has authority to prescribe rules and regulations to implement HPG and other programs under 42 U.S.C. S 1480(j).

Section 533(d) is prescriptive about the information applicants are to submit to RHS as part of their application and in the assessments and criteria RHS is to use in selecting grantees. An applicant is to submit a "statement of activity" describing its proposed program, including the specific activities it will undertake, and its schedule. RHS is required in turn to evaluate proposals on a set of prescribed criteria, for which the applicant will also have to provide information, such as: (1) Very low- and low-income persons proposed to be served by the repair and rehabilitation activities; (2) participation by other public and private organizations to leverage funds and lower the cost to the HPG program; (3) the area to be served in terms of population and need; (4) cost data to assure greatest degree of assistance at lowest cost; (5) administrative capacity of the applicant to carry out the program. The information collected will be the minimum required by law and by necessity for RHS to assure that it funds responsible grantees proposing feasible projects in areas of greatest need. Most data are taken from a localized area, although some are derived from census reports of city, county and Federal governments showing population and housing characteristics.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average .81 hours per response.

Respondents: A public body or a public or private nonprofit corporation.

Estimated Number of Respondents: 2,258.

Estimated Number of Responses per Respondent: 6.8.

Estimated Total Annual Burden on Respondents: 12,517 hours.

Copies of this information collection can be obtained from Linda Watts-Thomas, Regulations and Paperwork Management Branch at (202 692-0226).

Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of RHS, including whether the information will have practical utility; (b) the accuracy of RHS's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be

collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent to Linda Watts-Thomas, Regulations and Paperwork Management Branch, U.S. Department of Agriculture, Rural Development, STOP 0742, 1400 Independence Ave., SW., Washington, DC 20250. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: February 4, 2009.

James C. Alsop,

Acting Administrator, Rural Housing Service.

[FR Doc. E9-5329 Filed 3-11-09; 8:45 am]

BILLING CODE 3410-XV-P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

[Docket No. 090309298-9299-01]

American Recovery and Reinvestment Act of 2009 Broadband Initiatives

AGENCIES: National Telecommunications and Information Administration, U.S. Department of Commerce; Rural Utilities Service, U.S. Department of Agriculture.

ACTION: Joint request for information and notice of public meetings.

SUMMARY: Section 6001 of the American Recovery and Reinvestment Act of 2009 (Recovery Act) requires the National Telecommunications and Information Administration (NTIA) to establish the Broadband Technology Opportunities Program (BTOP). The Recovery Act further establishes authority for the Rural Utilities Service (RUS) to make grants and loans for the deployment and construction of broadband systems. NTIA and RUS will hold a series of public meetings about the new programs beginning on March 16, 2009. In addition to the information received about the new programs during the public meetings, written comments will be accepted through April 13, 2009. Through this notice, guidance is provided as to the matters to be discussed at these public meetings and

the categories of information with respect to which interested parties may submit comments.

DATES: There will be a series of public meetings in Washington, DC on March 16, 19, 23 and 24, 2009. Field hearings will be held in other locations on March 17 and 18, 2009. These times and the agenda topics are subject to change. Please refer to NTIA's Web site, <http://www.ntia.doc.gov/broadbandgrants> or the RUS Web site <http://www.rurdev.usda.gov/index.html>, for the most up-to-date meeting agenda. Additional meetings may be announced in the future. Comments will be received through April 13, 2009.

Time and Place: The meetings on March 16, 19, 23, and 24, 2009 will begin at 10 a.m. and will take place at the U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230. The meetings on March 17 and 18, 2009, will be field hearings. The location and time of the field hearings on March 17 and 18 will be announced on <http://www.ntia.doc.gov/broadbandgrants> and on <http://www.rurdev.usda.gov/index.html>. Webcast and/or transcripts of all of the public meetings will be made available on NTIA's Web site.

Times and locations are subject to change. Any changes will be announced on the NTIA Web site <http://www.ntia.doc.gov/broadbandgrants> or the RUS Web site <http://www.rurdev.usda.gov/index.html>.

FOR FURTHER INFORMATION: For further information regarding the meetings, contact Barbara Brown at (202) 482-4374 or bbrown@ntia.doc.gov; Mary Campanola, USDA at (202) 720-8822 or mary.campanola@usda.gov.

SUPPLEMENTARY INFORMATION: Section 6001 of the American Recovery and Reinvestment Act of 2009 (Recovery Act) requires the National Telecommunications and Information Administration (NTIA), in consultation with the Federal Communications Commission (FCC), to establish the Broadband Technology Opportunities Program (BTOP). The purposes of the BTOP include accelerating broadband deployment in unserved and underserved areas and ensuring that strategic institutions that are likely to create jobs or provide significant public benefits have broadband connections. The Recovery Act also establishes authority for the RUS to make grants and loans for the deployment and construction of broadband systems. The purpose of the additional RUS broadband authority is to improve access to broadband areas without service or that lack sufficient access to

high-speed broadband service to facilitate economic development. In order to facilitate the coordinated development of these programs, NTIA and RUS will host a series of public meetings related to the NTIA's and RUS' broadband Recovery Act activities beginning on March 16, 2009. These meetings are in addition to the Joint Meeting to be held on March 10, 2009 at the Department of Commerce.¹ FCC representatives will participate in the public meetings related to the FCC's mission. The public meetings will be organized around key program themes, including but not limited to the definitions to be adopted, the role of the states in the grants process, the relationship of BTOP to the RUS loan and grant program and other Recovery Act programs, the grant selection criteria, the role of for-profit providers as potential grant recipients, and other topics.

Matters To Be Considered:

Information is being sought on the following topics. Aspects of some of these topics will be discussed at the public meetings. Interested parties are invited to attend the meetings and to submit comments for the record on these topics to assist NTIA in establishing and administering BTOP and RUS in implementing its expanded authority. Comments addressing specific agency questions may be used by either agency in formulating its respective programs. Comments will be received through April 13, 2009.

NTIA

1. *The Purposes of the Grant Program:* Section 6001 of the Recovery Act establishes five purposes for the BTOP grant program.²

¹ Joint Notice of Public Meeting, 38 FR 8914 (Feb. 27, 2009).

² Section 6001(b) states that the purposes of the program are to—

- (1) Provide access to broadband service to consumers residing in unserved areas of the United States;
- (2) provide improved access to broadband service to consumers residing in underserved areas of the United States;
- (3) provide broadband education, awareness, training, access, equipment, and support to—
 - (A) Schools, libraries, medical and healthcare providers, community colleges, and other institutions of higher education, and other community support organizations and entities to facilitate greater use of broadband service by or through these organizations;
 - (B) organizations and agencies that provide outreach, access, equipment, and support services to facilitate greater use of broadband service by low-income, unemployed, aged, and otherwise vulnerable populations; and
 - (C) job-creating strategic facilities located within a State-designated economic zone, Economic Empowerment District designated by the Department of Commerce, Renewal Community or

a. Should a certain percentage of grant funds be apportioned to each category?

b. Should applicants be encouraged to address more than one purpose?

c. How should the BTOP leverage or respond to the other broadband-related portions of the Recovery Act, including the United States Department of Agriculture (USDA) grants and loans program as well as the portions of the Recovery Act that address smart grids, health information technology, education, and transportation infrastructure?

2. *The Role of the States:* The Recovery Act states that NTIA may consult the States (including the District of Columbia, territories, and possessions) with respect to various aspects of the BTOP.³ The Recovery Act also requires that, to the extent practical, the BTOP award at least one grant to every State.⁴

a. How should the grant program consider State priorities in awarding grants?

b. What is the appropriate role for States in selecting projects for funding?

c. How should NTIA resolve differences among groups or constituencies within a State in establishing priorities for funding?

d. How should NTIA ensure that projects proposed by States are well-executed and produce worthwhile and measurable results?

3. *Eligible Grant Recipients:* The Recovery Act establishes entities that are eligible for a grant under the program.⁵ The Recovery Act requires

Empowerment Zone designated by the Department of Housing and Urban Development, or Enterprise Community designated by the Department of Agriculture;

- (4) improve access to, and use, of broadband service by public safety agencies; and
- (5) stimulate the demand for broadband, economic growth, and job creation.

³ Section 6001(c) states that the Assistant Secretary may consult a State, the District of Columbia, or territory or possession of the United States with respect to—

- (1) The identification of areas described in subsection (b)(1) or (2) located in that State; and
- (2) the allocation of grant funds within that State for projects in or affecting the State.

⁴ Section 6001(h)(1).

⁵ Section 6001(e) states that eligible applicants shall—

- (1)(A) Be a State or political subdivision thereof, the District of Columbia, a territory or possession of the United States, an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450(b)) or native Hawaiian organization;
- (B) a nonprofit—
 - (i) foundation,
 - (ii) corporation,
 - (iii) institution, or
 - (iv) association; or
- (C) any other entity, including a broadband service or infrastructure provider, that the Assistant

Continued

NTIA to determine by rule whether it is in the public interest that entities other than those listed in Section 6001(e)(1)(A) and (B) should be eligible for grant awards. What standard should NTIA apply to determine whether it is in the public interest that entities other than those described in Section 6001(e)(1)(A) and (B) should be eligible for grant awards?

4. *Establishing Selection Criteria for Grant Awards:* The Recovery Act establishes several considerations for awarding grants under the BTOP.⁶ In addition to these considerations, NTIA may consider other priorities in selecting competitive grants.

a. What factors should NTIA consider in establishing selection criteria for grant awards? How can NTIA determine that a Federal funding need exists and that private investment is not displaced? How should the long-term feasibility of the investment be judged?

b. What should the weighting of these criteria be in determining consideration for grant and loan awards?

c. How should the BTOP prioritize proposals that serve underserved or unserved areas? Should the BTOP consider USDA broadband grant awards and loans in establishing these priorities?

d. Should priority be given to proposals that leverage other Recovery Act projects?

e. Should priority be given to proposals that address several purposes, serve several of the populations identified in the Recovery Act, or provide service to different types of areas?

f. What factors should be given priority in determining whether proposals will encourage sustainable adoption of broadband service?

Secretary finds by rule to be in the public interest. In establishing such rule, the Assistant Secretary shall to the extent practicable promote the purposes of this section in a technologically neutral manner

⁶ Section 6001(h) states that NTIA, in awarding grants, shall, to the extent practical—

(2) Consider whether an application to deploy infrastructure in an area—

a. will, if approved, increase the affordability of, and subscription to, service to the greatest population of users in the area;

b. will, if approved, provide the greatest broadband speed possible to the greatest population of users in the area;

c. will, if approved, enhance service for health care delivery, education, or children to the greatest population of users in the area; and

d. will, if approved, not result in unjust enrichment as a result of support for non-recurring costs through another Federal program for service in the area;

(3) consider whether the applicant is a socially and economically disadvantaged small business concern as defined under section 8(a) of the Small Business Act (15 U.S.C. 637).

g. Should the fact that different technologies can provide different service characteristics, such as speed and use of dedicated or shared links, be considered given the statute's direction that, to the extent practicable, the purposes of the statute should be promoted in a technologically neutral fashion?

h. What role, if any, should retail price play in the grant program?

5. *Grant Mechanics:* The Recovery Act requires all agencies to distribute funds efficiently and fund projects that would not receive investment otherwise.

a. What mechanisms for distributing stimulus funds should be used by NTIA and USDA in addition to traditional grant and loan programs?

b. How would these mechanisms address shortcomings, if any, in traditional grant or loan mechanisms in the context of the Recovery Act?

6. *Grants for Expanding Public Computer Center Capacity:* The Recovery Act directs that not less than \$200,000,000 of the BTOP shall be awarded for grants that expand public computer center capacity, including at community colleges and public libraries.

a. What selection criteria should be applied to ensure the success of this aspect of the program?

b. What additional institutions other than community colleges and public libraries should be considered as eligible recipients under this program?

7. *Grants for Innovative Programs to Encourage Sustainable Adoption of Broadband Service:* The Recovery Act directs that not less than \$250,000,000 of the BTOP shall be awarded for grants for innovative programs to encourage sustainable adoption of broadband services.

a. What selection criteria should be applied to ensure the success of this program?

b. What measures should be used to determine whether such innovative programs have succeeded in creating sustainable adoption of broadband services?

8. *Broadband Mapping:* The Recovery Act directs NTIA to establish a comprehensive nationwide inventory map of existing broadband service capability and availability in the United States that depicts the geographic extent to which broadband service capability is deployed and available from a commercial provider or public provider throughout each State.⁷

a. What uses should such a map be capable of serving?

b. What specific information should the broadband map contain, and should the map provide different types of information to different users (e.g., consumers versus governmental entities)?

c. At what level of geographic or other granularity should the broadband map provide information on broadband service?

d. What other factors should NTIA take into consideration in fulfilling the requirements of the Broadband Data Improvement Act, Public Law 110-385 (2008)?

e. Are there State or other mapping programs that provide models for the statewide inventory grants?

f. Specifically what information should states collect as conditions of receiving statewide inventory grants?

g. What technical specifications should be required of State grantees to ensure that statewide inventory maps can be efficiently rolled up into a searchable national broadband database to be made available on NTIA's Web site no later than February 2011?

h. Should other conditions attach to statewide inventory grants?

i. What information, other than statewide inventory information, should populate the comprehensive nationwide map?

j. The Recovery Act and the Broadband Data Improvement Act (BDIA) imposes duties on both NTIA and FCC concerning the collection of broadband data. Given the statutory requirements of the Recovery Act and the BDIA, how should NTIA and FCC best work together to meet these requirements?

9. *Financial Contributions by Grant Applicants:* The Recovery Act requires that the Federal share of funding for any proposal may not exceed 80 percent of the total grant.⁸ The Recovery Act also requires that applicants demonstrate that their proposals would not have been implemented during the grant period without Federal assistance.⁹ The Recovery Act allows for an increase in the Federal share beyond 80 percent if the applicant petitions NTIA and demonstrates financial need.

a. What factors should an applicant show to establish the "financial need" necessary to receive more than 80 percent of a project's cost in grant funds?

b. What factors should the NTIA apply in deciding that a particular proposal should receive less than an 80 percent Federal share?

⁶ Section 6001(f).

⁹ Section 6001(e)(3).

⁷ Section 6001(l).

c. What showing should be necessary to demonstrate that the proposal would not have been implemented without Federal assistance?

10. *Timely Completion of Proposals:* The Recovery Act states that NTIA shall establish the BTOP as expeditiously as practicable, ensure that all awards are made before the end of fiscal year 2010, and seek assurances from grantees that projects supported by the programs will be substantially completed within two (2) years following an award.¹⁰ The Recovery Act also requires that grant recipients report quarterly on the recipient's use of grant funds and the grant recipient's progress in fulfilling the objectives of the grant proposal.¹¹ The Recovery Act permits NTIA to de-obligate awards to grant recipients that demonstrate an insufficient level of performance, or wasteful or fraudulent spending (as defined by NTIA in advance), and award these funds to new or existing applicants.¹²

a. What is the most efficient, effective, and fair way to carry out the requirement that the BTOP be established expeditiously and that awards be made before the end of fiscal year 2010?

b. What elements should be included in the application to ensure the projects can be completed within two (2) years (e.g., timelines, milestones, letters of agreement with partners)?

11. *Reporting and Deobligation:* The Recovery Act also requires that grant recipients report quarterly on the recipient's use of grant funds and progress in fulfilling the objectives of the grant proposal.¹³ The Recovery Act permits NTIA to de-obligate funds for grant awards that demonstrate an insufficient level of performance, or wasteful or fraudulent spending (as defined by NTIA in advance), and award these funds to new or existing applicants.¹⁴

a. How should NTIA define wasteful or fraudulent spending for purposes of the grant program?

b. How should NTIA determine that performance is at an "insufficient level?"

c. If such spending is detected, what actions should NTIA take to ensure effective use of investments made and remaining funding?

12. *Coordination with USDA's Broadband Grant Program:* The Recovery Act directs USDA's Rural Development Office to distribute \$2.5

billion dollars in loans, loan guarantees, and grants for broadband deployment. The stated focus of the USDA's program is economic development in rural areas. NTIA has broad authority in its grant program to award grants throughout the United States. Although the two programs have different statutory structures, the programs have many similar purposes, namely the promotion of economic development based on deployment of broadband service and technologies.

a. What specific programmatic elements should both agencies adopt to ensure that grant funds are utilized in the most effective and efficient manner?

b. In cases where proposals encompass both rural and non-rural areas, what programmatic elements should the agencies establish to ensure that worthy projects are funded by one or both programs in the most cost effective manner without unjustly enriching the applicant(s)?

13. *Definitions:* The Conference Report on the Recovery Act states that NTIA should consult with the FCC on defining the terms "unserved area," "underserved area," and "broadband."¹⁵ The Recovery Act also requires that NTIA shall, in coordination with the FCC, publish nondiscrimination and network interconnection obligations that shall be contractual conditions of grant awards, including, at a minimum, adherence to the principles contained in the FCC's broadband policy statement (FCC 05-15, adopted August 5, 2005).¹⁶

a. For purposes of the BTOP, how should NTIA, in consultation with the FCC, define the terms "unserved area" and "underserved area?"

b. How should the BTOP define "broadband service?"

(1) Should the BTOP establish threshold transmission speeds for purposes of analyzing whether an area is "unserved" or "underserved" and prioritizing grant awards? Should thresholds be rigid or flexible?

(2) Should the BTOP establish different threshold speeds for different technology platforms?

(3) What should any such threshold speed(s) be, and how should they be measured and evaluated (e.g., advertised speed, average speed, typical speed, maximum speed)?

(4) Should the threshold speeds be symmetrical or asymmetrical?

(5) How should the BTOP consider the impacts of the use of shared facilities by service providers and of network congestion?

c. How should the BTOP define the nondiscrimination and network interconnection obligations that will be contractual conditions of grants awarded under Section 6001?

(1) In defining nondiscrimination obligations, what elements of network management techniques to be used by grantees, if any, should be described and permitted as a condition of any grant?

(2) Should the network interconnection obligation be based on existing statutory schemes? If not, what should the interconnection obligation be?

(3) Should there be different nondiscrimination and network interconnection standards for different technology platforms?

(4) Should failure to abide by whatever obligations are established result in de-obligation of fund awards?

(5) In the case of infrastructure paid for in whole or part by grant funds, should the obligations extend beyond the life of the grant and attach for the useable life of the infrastructure?

d. Are there other terms in this section of the Recovery Act, such as "community anchor institutions," that NTIA should define to ensure the success of the grant program? If so, what are those terms and how should those terms be defined, given the stated purposes of the Recovery Act?

e. What role, if any, should retail price play in these definitions?

14. *Measuring the Success of the BTOP:* The Recovery Act permits NTIA to establish additional reporting and information requirements for any recipient of grant program funds.

a. What measurements can be used to determine whether an individual proposal has successfully complied with the statutory obligations and project timelines?

b. Should applicants be required to report on a set of common data elements so that the relative success of individual proposals may be measured? If so, what should those elements be?

15. Please provide comment on any other issues that NTIA should consider in creating BTOP within the confines of the statutory structure established by the Recovery Act.

RUS

The provisions regarding the RUS Recovery Act broadband grant and loan activities are found in Division A, title I under the heading Rural Utilities Service, Distance Learning, Telemedicine and Broadband Program of the Recovery Act.¹⁷

¹⁷ The text of this authority is as follows:

Continued

¹⁰ Section 6001(d).

¹¹ Section 6001(i)(1).

¹² Section 6001(i)(4).

¹³ Section 6001(i)(1).

¹⁴ Section 6001(i)(4).

¹⁵ H.R. Rep. No. 111-16, at 776 (2009) (Conf. Rep.).

¹⁶ Section 6001(j).

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1. What are the most effective ways RUS could offer broadband funds to ensure that rural residents that lack access to broadband will receive it?

For a number of years, RUS has struggled to find an effective way to use the Agency's current broadband loan program to provide broadband access to rural residents that lack such access. RUS believes that the authority to provide grants as well as loans will give it the tools necessary to achieve that goal. RUS is looking for suggestions as to the best ways to:

- a. Bundle loan and grant funding options to ensure such access is provided in the projects funded under the Recovery Act to areas that could not traditionally afford the investment;
- b. Promote leveraging of Recovery Act funding with private investment that ensures project viability and future sustainability; and
- c. Ensure that Recovery Funding is targeted to unserved areas that stand to

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM For an additional amount for the cost of broadband loans and loan guarantees, as authorized by the Rural Electrification Act of 1936 (7 U.S.C. 901 *et seq.*) and for grants (including for technical assistance), \$2,500,000,000: Provided, That the cost of direct and guaranteed loans shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, notwithstanding title VI of the Rural Electrification Act of 1936, this amount is available for grants, loans and loan guarantees for broadband infrastructure in any area of the United States: Provided further, That at least 75 percent of the area to be served by a project receiving funds from such grants, loans or loan guarantees shall be in a rural area without sufficient access to high speed broadband service to facilitate rural economic development, as determined by the Secretary of Agriculture: Provided further, That priority for awarding such funds shall be given to project applications for broadband systems that will deliver end users a choice of more than one service provider: Provided further, That priority for awarding funds made available under this paragraph shall be given to projects that provide service to the highest proportion of rural residents that do not have access to broadband service: Provided further, That priority shall be given for project applications from borrowers or former borrowers under title II of the Rural Electrification Act of 1936 and for project applications that include such borrowers or former borrowers: Provided further, That priority for awarding such funds shall be given to project applications that demonstrate that, if the application is approved, all project elements will be fully funded: Provided further, That priority for awarding such funds shall be given to project applications for activities that can be completed if the requested funds are provided: Provided further, That priority for awarding such funds shall be given to activities that can commence promptly following approval: Provided further, That no area of a project funded with amounts made available under this paragraph may receive funding to provide broadband service under the Broadband Technology Opportunities Program: Provided further, That the Secretary shall submit a report on planned spending and actual obligations describing the use of these funds not later than 90 days after the date of enactment of this Act, and quarterly thereafter until all funds are obligated, to the Committees on Appropriations of the House of Representatives and the Senate.

benefit the most from this funding opportunity.

2. In what ways can RUS and NTIA best align their Recovery Act broadband activities to make the most efficient and effective use of the Recovery Act broadband funds?

In the Recovery Act, Congress provided funding and authorities to both RUS and the NTIA to expand the development of broadband throughout the country. Taking into account the authorities and limitations provided in the Recovery Act, RUS is looking for suggestions as to how both agencies can conduct their Recovery Act broadband activities so as to foster effective broadband development. For instance:

(a) RUS is charged with ensuring that 75 percent of the area is rural and without sufficient access needed for economic development. How should this definition be reconciled with the NTIA definitions of "unserved" and "underserved?"

(b) How should the agencies structure their eligibility requirements and other programmatic elements to ensure that applicants that desire to seek funding from both agencies (i) do not receive duplicate resources and (ii) are not hampered in their ability to apply for funds from both agencies?

3. How should RUS evaluate whether a particular level of broadband access and service is needed to facilitate economic development?

Seventy-five percent of an area to be funded under the Recovery Act must be in an area that USDA determines lacks sufficient "high speed broadband service to facilitate rural economic development." RUS is seeking suggestions as to the factors it should use to make such determinations.

(a) How should RUS define "rural economic development?" What factors should be considered, in terms of job growth, sustainability, and other economic and socio-economic benefits?

(b) What speeds are needed to facilitate "economic development?" What does "high speed broadband service" mean?

(c) What factors should be considered, when creating economic development incentives, in constructing facilities in areas outside the seventy-five percent area that is rural (i.e., within an area that is less than 25 percent rural)?

4. In further evaluating projects, RUS must consider the priorities listed below. What value should be assigned to those factors in selecting applications? What additional priorities should be considered by RUS?

Priorities have been assigned to projects that will: (1) Give end-users a choice of Internet service providers, (2)

serve the highest proportion of rural residents that lack access to broadband service, (3) be projects of current and former RUS borrowers, and (4) be fully funded and ready to start once they receive funding under the Recovery Act.

5. What benchmarks should RUS use to determine the success of its Recovery Act broadband activities?

The Recovery Act gives RUS new tools to expand the availability of broadband in rural America. RUS is seeking suggestions regarding how it can measure the effectiveness of its funding programs under the Recovery Act. Factors to consider include, but are not limited to:

- a. Businesses and residences with "first-time" access.
- b. Critical facilities provided new and/or improved service:
 - i. Educational institutions.
 - ii. Healthcare providers.
 - iii. Public service/safety.
- c. Businesses created or saved.
- d. Job retention and/or creation.
- e. Decline in unemployment rates.
- f. State, local, community support.

Status: Interested parties are invited to attend the public meetings and to submit written comments. Written comments that exceed five pages should include a one-page executive summary. Submissions containing ten (10) or more pages of text must include a table of contents and an executive summary. NTIA will coordinate the reception of written comments for both RUS and NTIA programs. Interested parties are permitted to file comments electronically via e-mail to BTOP@ntia.doc.gov. Parties are strongly encouraged to make electronic submissions of documents containing ten (10) or more pages. Comments provided via e-mail may be submitted in one or more of the formats specified below. Comments may be filed with NTIA through April 13, 2009.

Paper comments should be sent to: Broadband Technology Opportunities Program, U.S. Department of Commerce, Room 4812, 1401 Constitution Avenue, NW., Washington, DC 20230. Please note that all material sent via the U. S. Postal Service (including "Overnight" or "Express Mail") is subject to delivery delays of up to two weeks due to mail security procedures. All written comments received will be posted on the NTIA Web site at <http://www.ntia.doc.gov/broadbandgrants>.

Paper submissions should also include a CD or DVD in HTML, ASCII, Word or WordPerfect format (please specify version). CDs or DVDs should be labeled with the name and organizational affiliation of the filer, and

the name of the word processing program used to create the document.

Because of space limitation, attendance at the meeting will be determined on a first-come, first-served basis. The meeting will be physically accessible to people with disabilities. Individuals requiring special services, such as sign language interpretation or other ancillary aids, are asked to indicate this to Barbara Brown, bbrown@ntia.doc.gov at least two (2) days prior to the meeting. Members of the public will have an opportunity to provide comment at the meetings, time permitting.

Dated: Monday, March 9, 2009.

Bernadette McGuire-Rivera,
Associate Administrator, Office of
Telecommunications and Information
Applications.

David P. Grahn,
Associate General Counsel, Rural
Development.

[FR Doc. E9-5411 Filed 3-9-09; 4:15 pm]

BILLING CODE 3510-60-P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Associated Electric Cooperative Incorporated: Notice of Availability of an Environmental Assessment

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of availability of an
Environmental Assessment for public
review.

SUMMARY: The Rural Utilities Service, an Agency delivering the U.S. Department of Agriculture's Rural Development Utilities Programs, hereinafter referred to as Rural Development and/or Agency, has prepared an Environmental Assessment (EA) to meet its responsibilities under the National Environmental Policy Act (NEPA) and 7 CFR 1794 related to possible financial assistance to Associated Electric Cooperative Incorporated (AECI) for the construction of a new 540-megawatt (MW) gas-fired combustion combined-cycle generation unit at the existing Chouteau Power Plant in Mayes County, Oklahoma. The proposed new unit is needed to provide additional electric generating capacity that would allow AECI to meet its projected electrical peaking demand in 2011–2016. AECI is also proposing to construct a new substation approximately two miles east of the existing plant, a 161-kilovolt (kV) transmission line from the existing plant to the new substation, and a single circuit 345-kV line from the new substation to the nearby Grand River

Dam Authority (GRDA) Coal-Fired Power Plant I, Mayes County, Oklahoma. The proposed new transmission facilities are needed to provide an outlet for the additional electric power that would be generated at the Chouteau Power Plant as a result of the installation of the proposed new combustion turbine (CT). AECI is requesting financial assistance from the Agency for the proposed action.

DATES: Written comments on this Notice must be received on or before April 13, 2009.

FOR FURTHER INFORMATION CONTACT: To obtain copies of the EA or for further information, contact: Stephanie Strength, Environmental Protection Specialist, USDA, Rural Development, Utilities Programs, 1400 Independence Avenue, SW., Room 2244, Stop 1571, Washington, DC 20250-1571, or e-mail stephanie.strength@wdc.usda.gov.

A copy of the EA may be viewed online at the Agency's Web site: <http://www.usda.gov/rus/water/ees/ea.htm> and at AECI's headquarters office located at 211 South Golden, Springfield, Missouri 65801-4775 and at the Pryor Public Library, 505 E. Graham, Pryor, OK 74361, (918) 825-0777. Comments may be submitted to Ms. Strength at the address provided in this Notice.

SUPPLEMENTARY INFORMATION:

Associated Electric Cooperative, Inc. proposes to construct a new 540-MW gas-fired combustion combined-cycle generation unit at the existing Chouteau Power Plant in Mayes County, Oklahoma with an in-service date of early 2011. The existing plant includes a 522 MW combined cycle generation unit. The proposed 540 MW generating plant will be connected to a new 161/345-kV substation that will serve both the existing and proposed generating facilities. This substation will be located approximately two miles east of the Chouteau Power Plant on 16.7 acres. A single circuit 161-kV transmission line would be constructed from the existing Chouteau Power Plant to the new 345/161-kV substation and a single circuit 345-kV line will be constructed from the new substation to the existing Grand River Dam Authority (GRDA) Coal-Fired Power Plant.

The proposed CTs would employ an industrial frame advanced technology CT equipped with dry low-nitrogen oxide combustors. The CT would operate on natural gas as a fuel source. The construction of the proposal is tentatively scheduled to begin in 2009 and the estimated duration of construction would be 2 years.

A Notice of Intent to Prepare an EA and Hold a Scoping Meeting was published in the **Federal Register** at 73FR51439, on September 3, 2008, *The Paper* on September 8, 2008, and *The Daily Times* on September 7, 2008. A public meeting was held on September 16, 2008, at the Mid America Expo Center, Mid America Industrial Park in Pryor, Oklahoma 74361. A summary of public comments can be found at the Agency Web site listed in this Notice.

As part of its broad environmental review process, the Agency must take into account the effect of the proposal on historic properties in accordance with section 106 of the National Historic Preservation Act and its implementing regulation, "Protection of Historic Properties" (36 CFR part 800). Pursuant to 36 CFR 800.2(d)(3), the Agency is using its procedures for public involvement under NEPA to meet its responsibilities to solicit and consider the views of the public during section 106 review. Accordingly, comments submitted in response to scoping will inform Agency decisionmaking in section 106 review. Any party wishing to participate more directly with the Agency as a "consulting party" in section 106 review may submit a written request to do so to the Agency contact provided in this notice.

Alternatives considered by Rural Development and AECI included for the CTs were (a) no action, (b) alternate sources of power, (c) load management, (d) renewable energy sources, (e) non-renewable energy sources, and (f) alternate sites. The alternatives considered for the transmission facilities were (a) no action and (b) alternate routes. An environmental report that describes the proposal in detail and discusses its anticipated environmental impacts has been prepared by AECI. Rural Development has reviewed and accepted the document as its EA of the proposal. The EA is available for public review at the addresses provided in this Notice.

Questions and comments should be sent to Rural Development at the mailing or e-mail addresses provided in this Notice. Rural Development should receive comments on the EA in writing by April 13, 2009 to ensure that they are considered in its environmental impact determination.

Should Rural Development determine, based on the EA of the proposal, that the impacts of the construction and operation of the proposal would not have a significant environmental impact, it will prepare a Finding of No Significant Impact. Public notification of a Finding of No Significant Impact would be published

EXHIBIT 7
DATE 3/12/09
HB 645

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Timothy Furey

For the House Appropriations Committee

Prepared by Matthew Stayner
March 11, 2009 (5:42pm)

1. Page A-7.

Following: line 13

Insert: "2. Veteran's Affairs Program (31)

a. HB 565 payment for TRICARE reserve select insurance coverage
(Restricted) 694,186 133,576 general fund FY 10 and FY 11"

- END -

Explanation - HB 565 as amended would require the state to pay or reimburse any premiums for up to six months that otherwise would have to be paid by an eligible Montana veteran for individual or family coverage under the TRICARE reserve select insurance plan. This amendment would provide the funding for those payments.

Federal Stimulus UI Benefits

Extended Benefits (up to 13 weeks), Emergency Unemployment Compensation (up to 33 weeks),
Federal Additional Compensation (extra \$25 per week), Trade Readjustment Allowance (up to 52 weeks),
and UI Benefit Modernization (expanded benefits)

Totals By County SFY 2010-2011

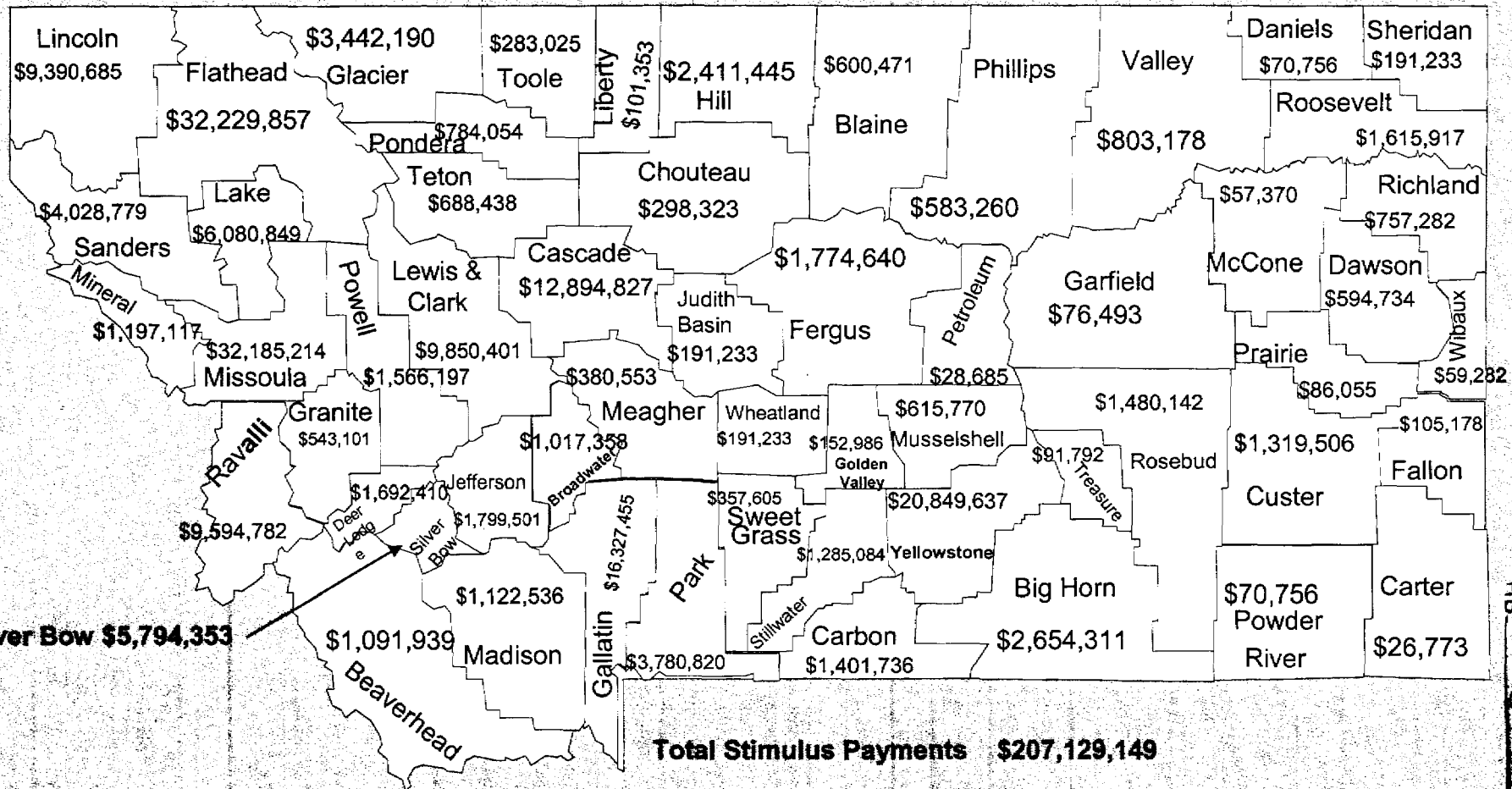
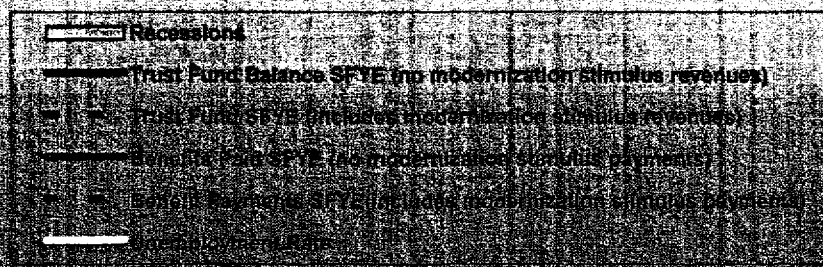
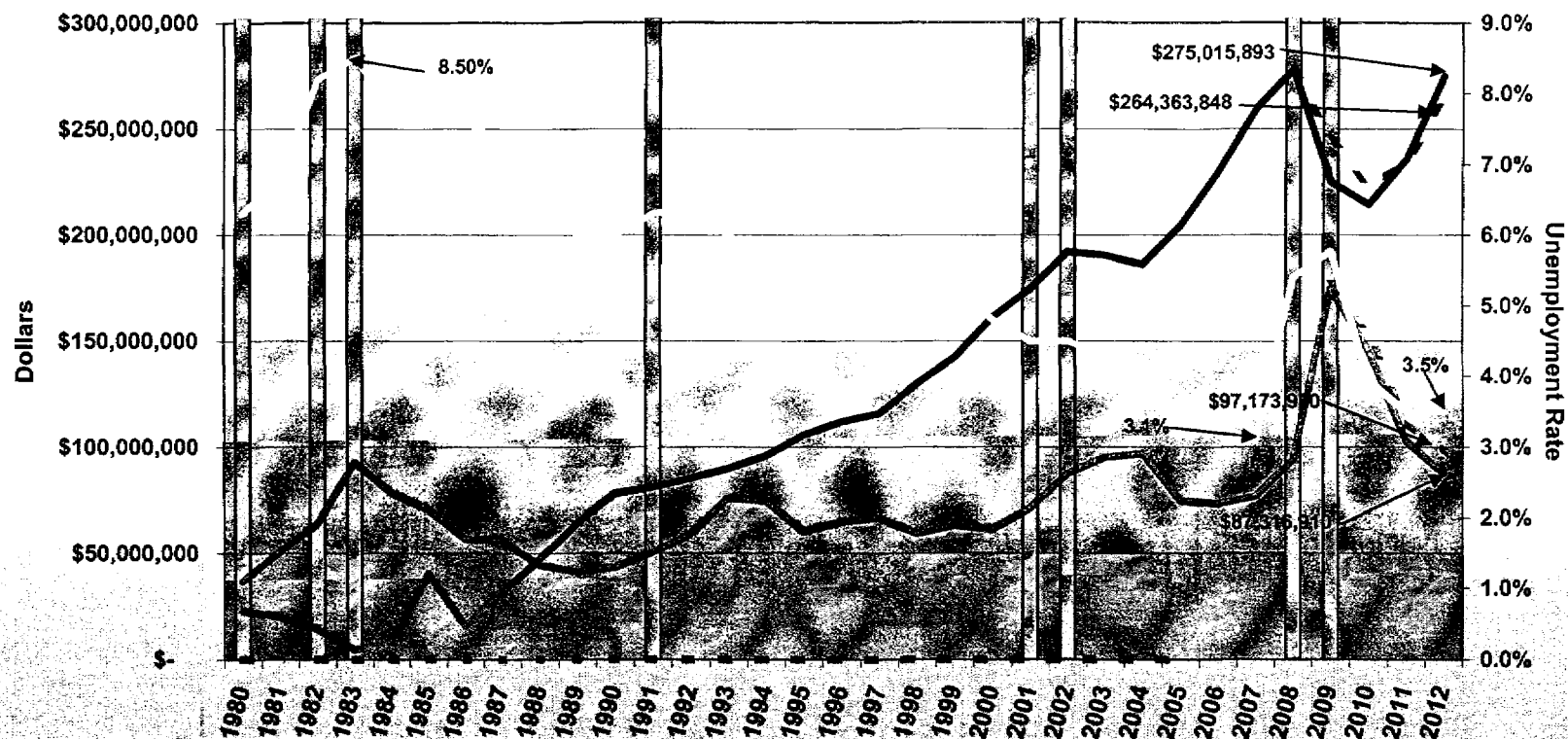


EXHIBIT 8
DATE 3/12/09
HB 645

Unemployment Insurance Trust Fund v. Benefits Paid



Federal Stimulus UI Benefits

Extended Benefits (up to 13 weeks), Emergency Unemployment Compensation (up to 33 weeks),
Federal Additional Compensation (extra \$25 per week), Trade Readjustment Allowance (up to 52 weeks),
and UI Benefit Modernization (expanded benefits)

Totals By County SFY 2010-2011

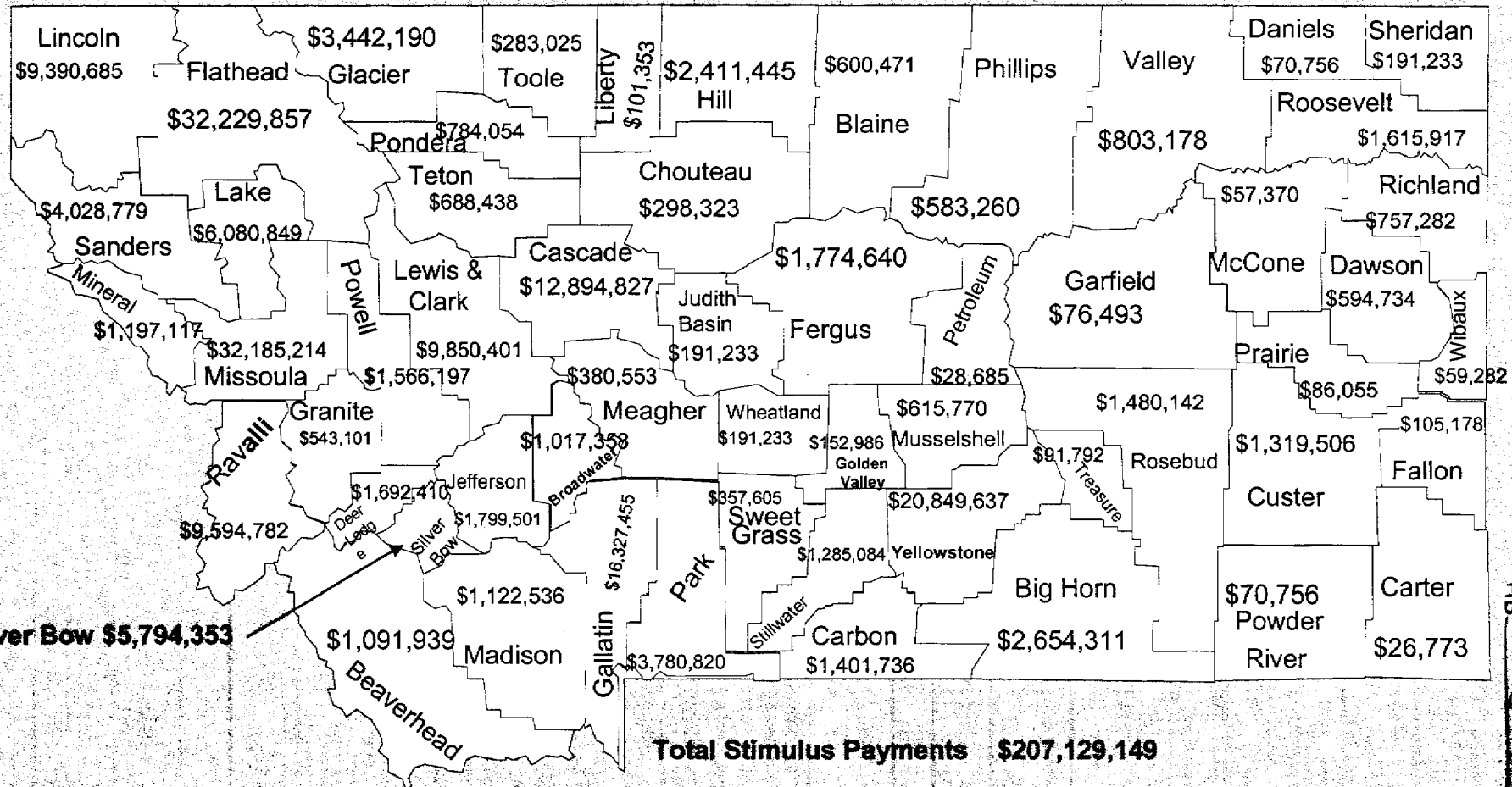
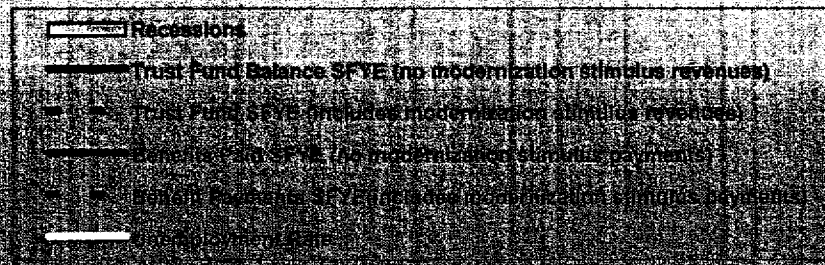
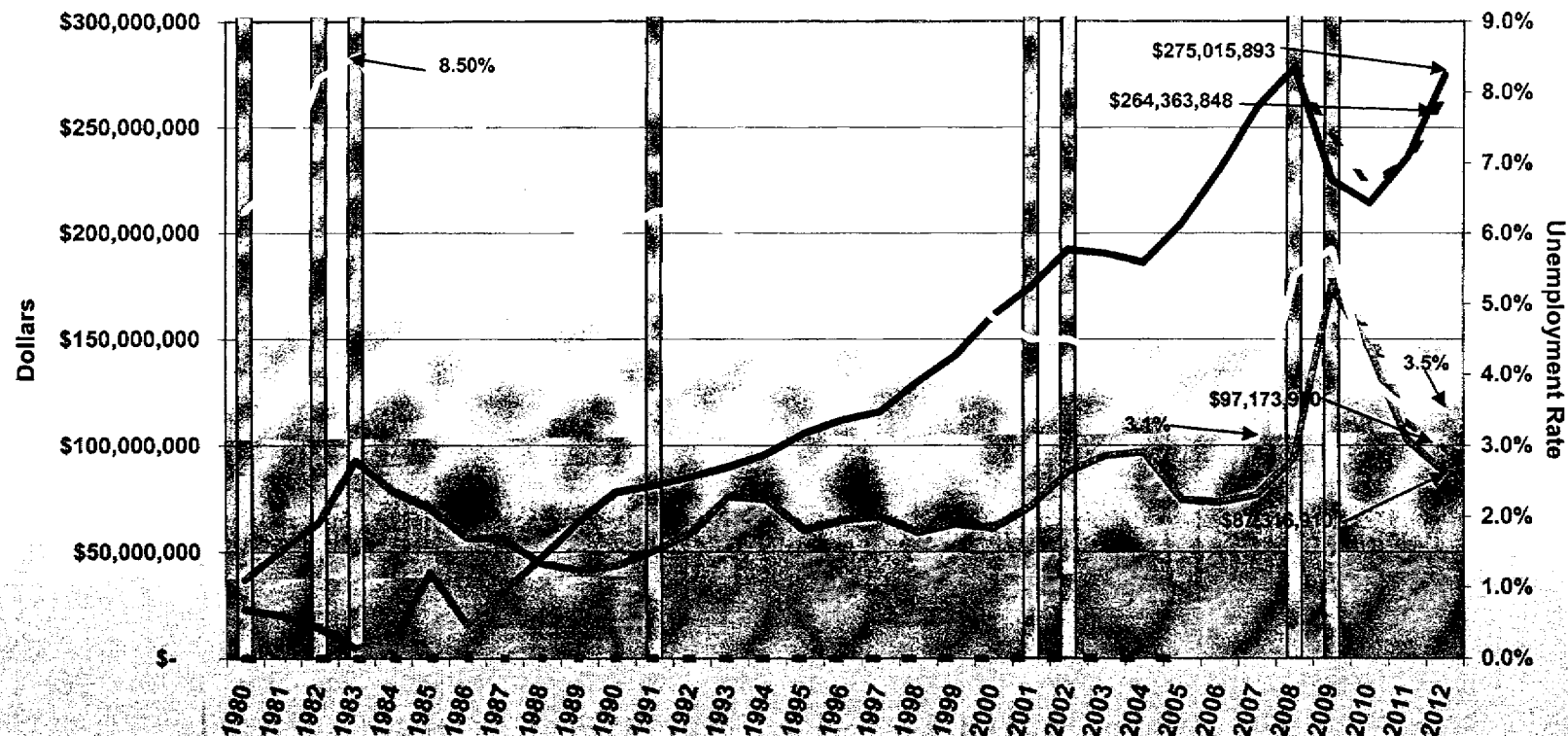


EXHIBIT 8
DATE 3/18/09
HB 645

Unemployment Insurance Trust Fund v. Benefits Paid



**Montana House of Representatives
Visitors Register**

GENERAL GOVERNMENT COMMITTEE

Date: 3/12/09

Bill No. HB 645 Sponsor(s) _____

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
ELLEN SIMPSON	MT Wood Pro Assn	X		
JAMIE HIGLEY	BEAR PAW/HILL COUNTY	X		
Scott Agendier	Bear Paw/Hill County	X		
BETSY HAND	HD 99	X		
David Soren	Teachers Retirement	X		
Bonnie Loren	MT Indus. Telecom Systems		X	
Geoff Feiss	MT Telecom Assn		X	
ROY MULVANEY	DLI / UTD	✓		
TOM BLODGEN	INGA-MFT	X		
Linda Crygier	CROW MT NICAT	X		
Mike Anderson	Hill County	X		
Paul Tuss	Bear Paw Development	X		
PATRICK HOFFERMAN	MT WORKING FORESTS	X		
DAN HUBER	DEPT. OF MILITARY AFFAIRS	X		
Keith Kelly	MT Dept. of Labor/Industry	X		
Lorrie Merrill	Big Sandy Activities			

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Call to Order: Chairman Dan Villa, on March 12, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Rep. Dan Villa, Chairman (D)
Sen. Debby Barrett, Vice Chairman (R)
Rep. Bill E. Glaser (R)
Sen. Bob Hawks (D)
Rep. Roy Hollandsworth (R)
Sen. Jim Peterson (R)
Rep. Cheryl Steenson (D)

Members Excused: None

Members Absent: None

Staff Present: Amy Carlson, OBPP
Shirley Chovanak, Committee Secretary
Nancy Hall, OBPP
Pam Joehler, Legislative Branch
Suzan Scott, OBPP
Jim Standaert, Legislative Branch
Kris Wilkinson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 645

Executive Action: None

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 12, 2009

PAGE 2 of 6

00:00:04 Chairman Villa
00:01:00 Sen. Peterson
00:01:21 Chairman Villa

Presentation by the Office of Public Instruction

00:02:15 Denise Juneau, Superintendent, Office of Public
Instruction (OPI)

EXHIBIT(jeh55a01)

00:08:41 Sen. Peterson
00:09:15 Ms. Juneau
00:11:52 Chairman Villa
00:11:53 Ms. Juneau
00:16:42 Rep. Glaser
00:16:55 Chairman Villa
00:17:19 Sen. Peterson
00:17:51 Ms. Juneau

Comments from Legislators:

00:18:01 Chairman Villa
00:18:23 Rep. Taylor, HD 11
00:19:40 Chairman Villa
00:20:03 Rep. John Fleming, HD 12
00:22:15 Rep. Glaser
00:22:43 Chairman Villa
00:22:47 Rep. Franke Wilmer, HD 64
00:24:07 Sen. Carol Juneau, SD 8
00:29:45 Rep. Sue Dickenson, HD 25
00:30:08 Chairman Villa
00:30:22 Rep. Dickenson
00:34:45 Rep. Wanda Grinde, HD 48
00:37:09 Rep. Hollandsworth
00:37:44 Rep. Steenson
00:38:14 Chairman Villa

Public Comment:

00:38:28 Lance Melton, Executive Director, Montana School Board
Association

EXHIBIT(jeh55a02)

00:43:13 Martin Tuttle, Chief Counsel, Department of Commerce
00:50:19 Rep. Hollandsworth
00:50:36 Mr. Tuttle
00:51:16 Sen. Barrett
00:51:34 Mr. Tuttle
00:51:46 Nancy Hall, OBPP
00:52:06 Kris Wilkinson, LFD

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 12, 2009

PAGE 3 of 6

00:52:18 Ms. Hall
00:53:13 Ms. Wilkinson
00:53:27 Darrell Rud, Executive Director, School Administrators
of Montana
00:54:31 Marco Ferro, MEA-MFT

EXHIBIT(jeh55a03)

00:57:27 Matthew Leow, Northern Plains Resource Council
01:00:47 Kirk Miller, Superintendent of Schools, Bozeman Schools

EXHIBIT(jeh55a04)

01:09:12 Steve Johnson, Assistant Superintendent, Bozeman
Schools
01:11:40 Bruce Messinger, Superintendent, Helena Schools
01:20:27 Rep. Paul Beck, HD 59, Red Lodge
01:22:20 Chairman Villa
01:22:25 Rep. Beck
01:22:38 Dave Puyear, Executive Director, Montana Rural
Education Association
01:27:51 Terry Kendrick, Montana Indian Education Association
01:29:38 Chairman Villa
01:30:13 Ms. Wilkinson
01:31:05 Chairman Villa
01:33:05 Ms. Wilkinson

Questions from the Committee and Responses:

01:33:37 Chairman Villa
01:33:44 Sen. Hawks
01:34:17 Chairman Villa
01:35:31 Sen. Hawks
01:35:40 Chairman Villa
01:36:10 Sen. Peterson
01:36:47 Chairman Villa
01:36:55 Sen. Peterson
01:37:00 Chairman Villa
01:37:02 Sen. Peterson
01:37:35 Chairman Villa
01:37:41 Sen. Peterson
01:37:53 Chairman Villa
01:37:57 Sen. Peterson
01:38:19 Mr. Melton
01:39:58 Sen. Peterson
01:40:05 Mr. Melton
01:41:23 Chairman Villa
01:41:55 Mr. Melton
01:42:18 Rep. Glaser

EXHIBIT(jeh55a05)

01:44:56 Jim Standaert, LFD
01:45:40 Chairman Villa

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 12, 2009

PAGE 4 of 6

01:45:45 Ms. Wilkinson

EXHIBIT(jeh55a06)

01:46:21 Recess

02:12:01 Resume

Presentations by Individual Agencies:

02:12:51 Chere Jiusto, Executive Director, Montana Preservation Works Program

EXHIBIT(jeh55a07)

02:20:23 Mr. Ferro

EXHIBIT(jeh55a08)

02:23:06 Nanette Gilbertson, Montana Library Association

Public Comments: None

Questions from the committee and responses: None

02:25:55 Chairman Villa

Presentation by Higher Education:

02:26:29 Steve Barrett, Montana University System

02:34:49 Sheila Stearns, Office of Commissioner of Higher Education (OCHE)

EXHIBIT(jeh55a09)

Public Comments:

02:44:34 Chairman Villa

02:44:50 Rep. Dick Barrett, HD 93

02:51:16 Rep. Dave McAlpin, HD 94

02:52:22 Mary Sheehy Moe, OCHE

02:57:45 George Dennison, President, University of Montana

03:04:58 Frank Gilmore, Chancellor, Montana Tech, University of Montana

03:07:47 Craig Roloff, Montana State University

03:13:30 Ron Sexton, Chancellor, Montana State University - Billings

03:20:23 Joe Schaffer, Acting CEO, Montana State University, Great Falls College of Technology

EXHIBIT(jeh55a10)

03:26:11 Susan Davis Briggs, University of Montana-Western

03:29:06 Daniel Bingham, Dean/CEO, University of Montana-Helena

EXHIBIT(jeh55a11)

03:36:01 Jane Karas, Flathead Valley Community College

03:39:37 Stefani Hicswa, Miles Community College

03:41:29 Mr. Ferro

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 12, 2009

PAGE 5 of 6

03:44:39 Maureen Wieland, Associated Students of Montana State
University

Questions from the committee and responses:

03:45:58 Sen. Peterson
03:46:44 Chairman Villa
03:46:54 Sen. Peterson
03:48:21 Mr. Barrett
03:50:16 Sen. Peterson
03:50:35 Mr. Barrett
03:52:59 Sen. Hawks
03:54:04 Mr. Barrett

ADJOURNMENT

03:54:26 Adjournment: 12:00 P.M.

Shirley Chovanak, Secretary

SC

Additional Exhibits

EXHIBIT(jeh55a12)

EXHIBIT(jeh55a13)

EXHIBIT(jeh55a14)

Additional Documents:

EXHIBIT(jeh55aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
Subcommittee on Education

DATE: 3/12/09

[illegible]



EXHIBIT 1
DATE 3/12/09
HB 645

OFFICE OF PUBLIC INSTRUCTION

PO BOX 202501
HELENA MT 59620-2501
www.opi.mt.gov
(406) 444-3095
(888) 231-9393
(406) 444-0169 (TTY)

Denise Juneau
Superintendent

February 20, 2009

To: Denise Juneau, Superintendent of Public Instruction

From: Madalyn Quinlan, Chief of Staff

Subject: Defining the State's Primary Funding Formula for Purposes of the American Recovery and Reinvestment Act

The American Recovery and Reinvestment Act, Title XIV- State Fiscal Stabilization Fund, Sec.14002. State Uses of Funds allocates 81.8 percent of the State's allocation for support of elementary, secondary, and postsecondary education and, as applicable, early childhood education programs and services.

Under this section the Governor shall first use the funds to provide the amount of funds, through the State's primary elementary and secondary funding formulae, that is needed

- 1) to restore, in each of fiscal years 2009, 2010, and 2011, the level of State support provided through the state formula to the greater of the fiscal year 2008 or fiscal year 2009 level; and
- 2) where applicable, to allow existing State formulae increases to support elementary and secondary education for fiscal year 2010 and 2011 to be implemented and allow funding for phasing in State equity and adequacy adjustments, if such increases were enacted pursuant to state law prior to October 1, 2008.

What constitutes Montana's Primary Elementary and Secondary Funding Formula? I would argue that the basic system of quality public elementary and secondary schools as defined in 20-9-309, MCA constitutes the primary elementary and secondary funding formula. The basic system includes eight components. The table below lists the eight components and the state payments to schools that support the first seven components.

Definition of a Quality Education	Funding Component
Educational program specified by the accreditation standards	▪ Direct State Aid ▪ Guaranteed Tax Base Aid (GF and Retirement) ▪ Secondary Vocational Education payment ▪ State Tuition payments ▪ HB 124 block grants ▪ Technology Acquisition

"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."

412

Definition of a Quality Education	Funding Component
Students with special needs ▪ Children with disabilities ▪ At-risk students ▪ Students with limited English proficiency ▪ Children who qualify for services under the Americans with Disabilities Act (ADA) ▪ Gifted and Talented Children	▪ Special education allowable cost payment ▪ In-state treatment ▪ Montana School for the Deaf and Blind ▪ At-Risk Student payment ▪ American Indian Achievement Gap payment ▪ Funding for Gifted and Talented Programs
Educational programs to implement the provisions of Article X, section 1(2), of the Montana constitution	▪ Indian Education for All payment
Qualified and effective teachers or administrators and qualified staff	▪ Quality Educator payment ▪ Quality Educator Loan Assistance ▪ Stipends for National Board Certified Educators ▪ State support for employer share of TRS/PERS
Facilities and distance learning technologies	▪ School Facility Reimbursements ▪ School Facility Account
Transportation of students	▪ State Transportation Reimbursements
Assess and track student achievement	▪ Achievement in Montana – student information system
Preservation of local control of schools	▪ Trustees determine level and allocation of general fund dollars

The attached chart shows the amount of funding that the state provided for each of these components in FY 2008 and FY 2009.



EXHIBIT 1
DATE 3/12/09
HB 645

OFFICE OF PUBLIC INSTRUCTION

PO BOX 202501
HELENA MT 59620-2501
www.opi.mt.gov
(406) 444-3095
(888) 231-9393
(406) 444-0169 (TTY)

Denise Juneau
Superintendent

February 20, 2009

To: Denise Juneau, Superintendent of Public Instruction

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Transportation of students	▪ State Transportation Reimbursements
Assess and track student achievement	▪ Achievement in Montana – student information system
Preservation of local control of schools	▪ Trustees determine level and allocation of general fund dollars

The attached chart shows the amount of funding that the state provided for each of these components in FY 2008 and FY 2009.

American Recovery and Reinvestment Act

Stabilization Funds

Education Secretary's Portion

- Competitive Grant Applications – State Incentive grants and LEA Innovation grants
- Teacher Incentive Fund
- State Data Systems

Governor's Portion

18.2 %

- Used for Public Safety Initiatives and other government services – can be used for education

81.2 %

- Distributed between K-12 and Higher Education to cover budget shortfalls
- Based on State Funding Formulas

- Leftover Funds – those funds that were not needed to cover budget shortfalls
- Funds will be distributed to LEAs based on their portion of the Title I Allocations
- NOT Title I Funds – can be used for activities under ESEA, IDEA, Perkins, Adult & Family Literacy, or school modernization, repair and renovation consistent with "green" rating systems

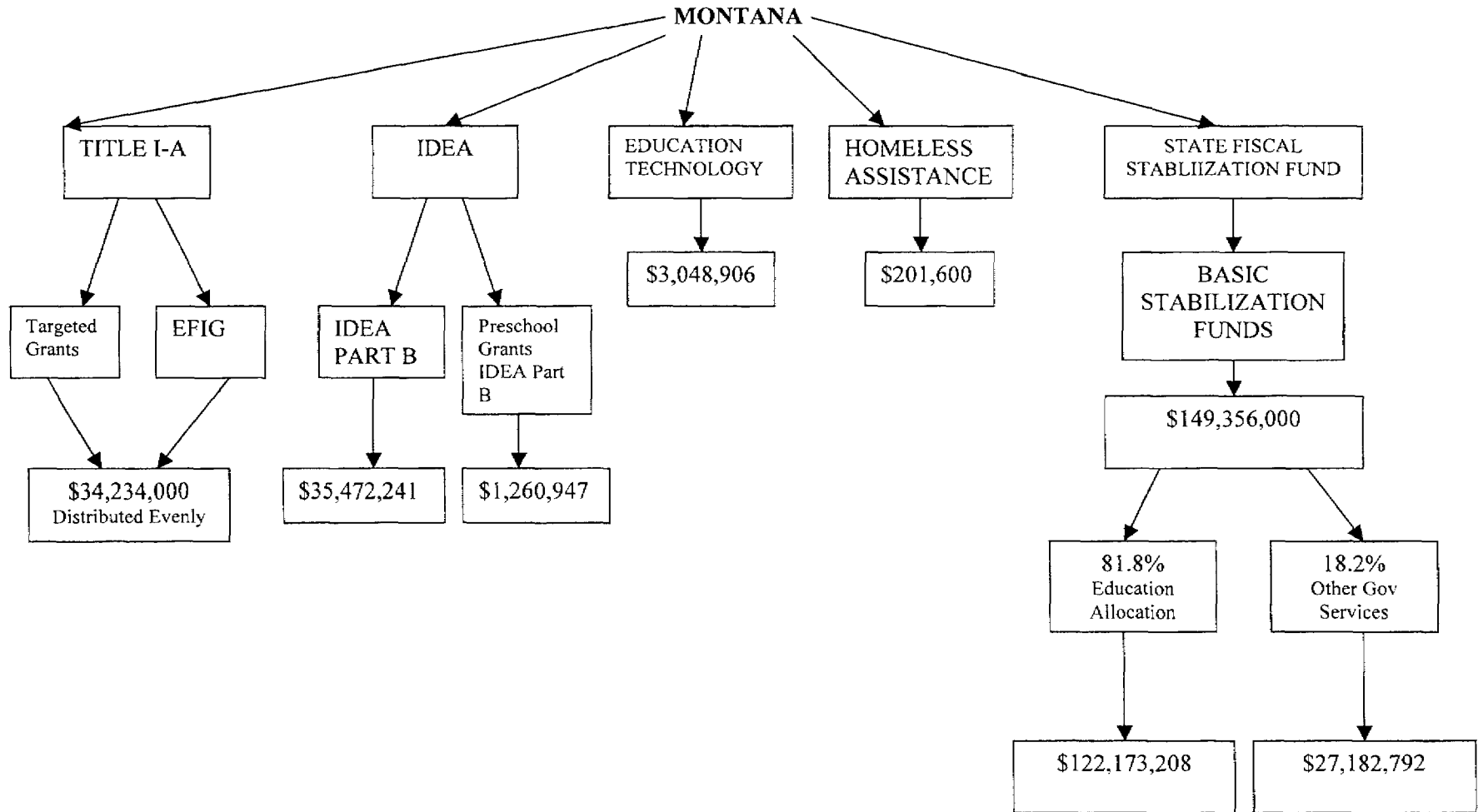
Increases to Formula Grants

- Title I-A Allocation (Targeted and EFIG Only)
 - School Improvement Grants (1003 (g) Funds)
- Educational Technology Grant – to LEAs
 - 50 % by formula
 - 50 % by competitive
- Homeless Education (McKinney-Vento)

Developed by the National Title I Association, an Association of State Title I Directors

AMERICAN RECOVERY AND REINVESTMENT ACT

EDUCATION SPENDING



Montana's Primary Formula for Elementary and Secondary Education

Basic System of Quality Public Schools		State Payment	FY 2008	FY 2009	FY 2010	FY 2011	Shortfall to Restore
Educational program specified by the accreditation standards	Direct State Aid		366,895,201	374,521,519	335,907,406	345,318,497	0
	Guaranteed Tax Base Aid (GF and Retirement)		153,243,037	157,815,711	136,133,001	140,900,562	0
	Secondary Vocational Education payment		1,000,000	1,000,000	1,000,000	1,000,000	-
	State Tuition payments		477,230	606,138	477,230	477,230	257,816
	HB 124 block grants		50,979,326	51,366,769	51,757,156	52,150,511	-
	Technology Acquisition		895,804	4,400,000	2,722,000	800,000	-
Students with special needs						
▪ Children with disabilities	Special education allowable cost payment		40,413,567	41,647,331	40,413,567	40,413,567	2,467,528
	In-state treatment		787,800	974,895	787,000	787,000	375,790
	Montana School for the Deaf and Blind					
▪ At-risk students	At-Risk Student payment		4,999,891	5,000,000	-	-	10,000,000
	American Indian Achievement Gap		3,293,800	3,281,200	3,293,800	3,293,800	-
▪ Students with limited English		-	-	-	-	-
▪ Children who qualify for services under the Americans with Disabilities Act (ADA)		-	-	-	-	-
▪ Gifted and Talented Students	Funding for Gifted and Talented Programs		1,246,982	1,250,000	250,000	250,000	2,000,000
Educational programs to implement the provisions of Article X, section 1(2) of the Montana Constitution						
	Indian Education for All payment		4,563,152	4,432,260	3,019,653	3,000,816	3,000,000
Qualified and effective teachers or administrators and qualified staff	Quality Educator payment		38,521,876	37,964,447	39,821,876	41,121,876	-
	Quality Educator Loan Assistance		350,000	700,000	1,050,000	1,400,000	-
	Stipends for National Board Certified Educators		12,000	18,000	30,000	30,000	-
	State support for employer share of TRS					

Montana's Primary Formula for Elementary and Secondary Education

Basic System of Quality Public Schools	State Payment	FY 2008	FY 2009	FY 2010	FY 2011	Shortfall to Restore
Facilities and distance learning technologies	School Facility Reimbursements	9,744,392	10,509,037	9,744,392	9,744,392	1,050,000
	Capital Investment and Deferred Maintenance	29,966,285	-	-	-	29,966,285
	School Facility Account					
Transportation of students	State Transportation Reimbursements	12,338,475	12,572,550	12,338,475	12,338,475	500,000
Assess and track student achievement	Achievement in Montana – student information system					
Preservation of local control of schools	Trustees determine level and allocation of general fund dollars	-	-	-	-	
Total						\$49,617,419

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Federal Grant Awards to Montana Schools for Title I-A and IDEA

Elementary and Secondary Education Act: Title I-A																																							
Grant Award	2008								2009								2010								2011														
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
FY 2009	\$42,530,274																																						
ARRA																																							
FY 2010																	\$44,127,002																						

Individuals with Disabilities Education Act: IDEA Part B																																							
Grant Award	2008						2009						2010						2011																				
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
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Notes: The Tydings Amendment allows school districts to utilize funds for a total of 27 months.

For IDEA Part B, the budget year runs from July 1 to June 30. School districts are allowed to carryover up to 100% of the IDEA grant award into the ensuing fiscal year and, with approval have until September 30 of the following year to expend the funds.

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House Bill 645

Office of Public Instruction Program 06 Program 09

Education Program	State Level Activities	Local Education Activities	Total
Title I-A	415,800	34,234,200	34,650,000
Title I-A Improvement	468,150	8,894,850	9,363,000
IDEA Part-B (Section 611)	1,235,815	35,472,241	36,708,056
IDEA Part-B (Section 619 Pre-School)	0	1,260,947	1,260,947
Title II-D Education Technology	160,469	3,048,906	3,209,375
School Nutrition - Equipment	0	247,461	247,461
McKinney-Vento (Homeless Assistance)	22,400	201,600	224,000
Earmarked federal programs	2,302,634	83,360,205	85,662,839

State Fiscal Stabilization Fund	148,689,792
Education (81.8% for K-12 and Higher Ed)	121,628,250
General Purpose (18.2%)	27,061,542

Source: Based upon Preliminary Estimates from the U.S. Department of Education

Amendments to House Bill 645
House Appropriations Committee

March 13, 2009

Requested by _____

1. Page E-1, Line 10.
Insert: "d. Title I-A – FY 2009 415,800" [FY 10 federal special revenue]
2. Page E-1, Line 14.
Strike: "34,650,000" [FY 10 federal special revenue]
Insert: "34,234,200" [FY 10 federal special revenue]
3. Page E-1, Line 10.
Following: amendment 1
Insert: "e. McKinney-Vento (Homeless Assistance) – FY 2010-11 22,400" [FY 10 federal special revenue]
4. Page E-2, Line 8.
Strike: "224,000" [FY 10 federal special revenue]
Insert: "201,600" [FY 10 federal special revenue]
5. Page E-2, Line 12.
Insert: "All appropriations for federal special revenue programs in state level activities and in local education activities and all general fund appropriations in local educational activities are biennial."



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Denise Juneau
Superintendent

Improving Student Achievement through School Improvement and Reform

On March 6, the United States Department of Education clarified that the overall goals of the ARRA are to stimulate the economy in the short-term and invest in education and other essential public services to ensure the long-term economic health of our nation.

According to the US Department of Education, four principles guide the distribution and use of ARRA funds:

- ☒ Spend funds quickly to save and create jobs.
- ☒ Improve student achievement through School Improvement and Reform.
- ☒ Ensure transparency, reporting and accountability.
- ☒ Invest one-time ARRA funds thoughtfully to minimize the "funding cliff" created by one-time only funds.

This proposal is consistent with the four principles and focuses specifically on our effort to Improve Student Achievement through School Improvement and Reform.

The United States Department of Education has stated that state fiscal stabilization funds should be used to **improve student achievement and help close the achievement gap**. The state fiscal stabilization fund requires progress on four reform areas.

These are:

- ☒ Making progress toward rigorous college and career ready standards and high quality assessments
- ☒ Establishing pre-K to college and career data systems to track progress and foster continuous improvement
- ☒ Making improvements in teacher effectiveness and in equitable distribution of qualified teachers for all students

- ☒ Providing intensive support and effective interventions for the lowest performing schools

The Office of Public Instruction proposes to improve student achievement through School Improvement and Reform. These activities focus on building the infrastructure of our education staff and programs by improving the quality of instruction now and into the future. There are four major initiatives outlined in this proposal:

- ☒ improving the quality of instruction by providing training and technical assistance to teachers on proven strategies to improve student outcomes
- ☒ addressing personnel shortages and improving the quality of instruction in math and science
- ☒ strengthening our programs for high achieving students by supporting gifted and talented instruction and the availability of advanced placement classes
- ☒ meeting federal training requirements for teachers who teach core academic subjects

Improving the Quality of Instruction – Total \$5,000,000

Education is undergoing a major change in the way it approaches methods for student instruction. Significant research has shown that particular methods of instruction have proven effectiveness in increasing student academic achievement. These proven strategies include scientifically based reading instruction, use of formative assessments to guide instruction on a daily basis, and strategies to track student progress and systematically provide interventions for students who are falling behind.

It has also been proven that it takes more than one-shot trainings at conferences to help teachers make the needed changes in how they deliver instruction. This proposal is designed around on-site availability of technical assistance providing the opportunity for experts or master teachers to demonstrate classroom techniques that are known to be effective at improving student achievement.

Regional Service Areas - \$1.5 million

During our hearings on HB 2, we discussed the need for Regional Service Areas to provide training and direct technical assistance to teachers. This proposal will strengthen the infrastructure of our three regional professional development centers and build the remaining two regions in our state. Through this model, we will support regionally controlled centers that will provide training and technical assistance specifically to improve the quality of instruction.

One component of this instruction includes support for teachers who serve children with autism. Children with autism present a special challenge for public schools. Schools need to be prepared and responsive to implement scientifically based interventions for children with autism. This will be accomplished through providing our teachers with one-on-one assistance in the design and implementation of effective programs to serve as the population.

Formative Assessment - \$640,000

Formative assessment is a planned process that takes place continuously during the course of instruction to shape and refine ongoing teaching and learning. Research shows conclusively that formative assessment improves learning. Formative assessment is successful when teachers are offered and participate in ongoing professional development and learning communities. To improve achievement in Montana, all teachers need the opportunity to learn how to systematically incorporate this process into their classrooms. Formative assessment professional development will focus particularly on improving math and writing achievement.

The goal of the OPI is to provide ongoing professional development and real time guidance on the elements and processes of formative assessment. The professional development, to be offered regionally and online, would result in self-sustaining training programs and learning communities enhanced by Montana educators working together. The one-time stimulus money would provide the structure, training, and resources for all Montana students and classrooms.

Response to Intervention (RTI) - \$2 million

Response to Intervention (RTI) is a framework for improving educational outcomes that focuses on ensuring effective instruction for all students. Within an RTI framework, educators work collaboratively to use ongoing assessment (a.k.a. formative assessment) to regularly analyze student data and adjust instruction when students are not learning the skills that are essential to future success.

A well implemented RTI framework is complex and requires ongoing high-quality professional development for all school personnel. It is the goal of the OPI that all schools receive high-quality training on the essential components for effective RTI implementation. RTI trainers would be identified and trained regionally throughout the state to provide ongoing training off-site and differentiated on-site training to all school staff. The one-time stimulus money would provide the opportunity to guarantee that all schools in the state receive a strong foundation on RTI.

Advanced Placement Summer Institutes - \$500,000

The Pre-Advanced Placement (Pre-AP) and Advanced Placement (AP) Summer Institutes are subject-specific professional development opportunities. They provide teachers with the support and training needed to use Pre-AP teaching strategies and to teach AP courses. Pre-AP preparation and AP courses infuse rigor into classrooms and prepare students, including students currently underrepresented in these programs, for success when they graduate. All students can benefit from Pre-AP learning strategies and AP classes. The goal of the Office of Public Instruction is to provide these professional development opportunities for Montana high school teachers so they will return to their schools ready to incorporate Pre-AP strategies into their regular classrooms and/or teach AP classes.

Summer Institutes: Content Specific Professional Development - \$1,500,000

The one-time-only funding will provide regional summer institutes, ongoing online support for Montana K-12 teachers, and financial and technical support for teachers required to take and pass the Praxis II content knowledge tests.

The summer institutes are professional learning opportunities designed to help teachers improve subject-matter knowledge to better meet the learning needs of all students. The design, delivery and evaluation of the summer institutes will be created by the regional service areas in partnership with Montana's postsecondary institutions. The funding will provide support for 5 summer institutes: one institute in each of the five regional service areas. The course content will be taught by high school and postsecondary faculty, experts in the specific content area. The content areas for these summer institutes will be: Science, Math, and English.

These one-time funds will cover the costs for:

- Institute faculty (6 faculty per region) mileage, lodging, per diem and honoraria;
- 200 teachers lodging, per diem, and travel to a regional site to participate in a 3 day institute; and
- Materials and resources to support the institutes.

Institutes will be held in K-12 schools or postsecondary institutions at no cost.

Evaluation of the summer institute program and ongoing technical assistance for participants will be conducted using an online tool (e.g., Google.docs). This ongoing online support for participating teachers will be implemented and administered by the regional service areas.

These one-time funds will cover the costs for:

- Establishment, maintenance, and evaluation of the online tool by the five regional service areas; and

- Support to regional service areas to provide an annual report to the Office of Public Instruction and Board of Public Education on the effectiveness of the institutes in helping teachers to improve subject-matter knowledge and the impact on student learning.

Some Montana teachers do not meet the highly qualified teacher requirements of NCLB. These funds will assist K-12 teachers in the preparation, cost of registration and test fees to ensure these teachers take and pass the Praxis II subject matter tests.

These one-time funds will cover the costs for:

- Payment for registration and test fees for 100 teachers required to take and pass the Praxis II content tests;
- Praxis II test preparation classes for Science, Math, and English in each regional service area;
- Faculty costs mileage, lodging, per diem and honoraria;
- 100 teachers lodging, per diem, and travel to a regional site to participate a 2-day Praxis II test preparation class; and
- Materials and resources for the participating teachers.

Praxis II test preparation classes will be held in K-12 schools or postsecondary institutions at no cost.

Elementary Math/Science Specialists Program: \$1,500,000

This pilot program will increase math and science content knowledge for a cohort of elementary teachers. Two schools within each of the five Regional Service Areas will be selected from a pool of volunteer schools. Experts from K-12 and postsecondary will collaborate in the design and delivery of the program. The math/science cohort teachers will serve as a model of best practices that include explicit math and science content instruction based on content and performance standards. Teachers with strong math and science content knowledge have the greatest impact on students' achievement. Funds will cover the costs of the design, delivery and evaluation of the math and science content and of travel, lodging, and per diem, at state rates, for the math/science cohort teachers and the experts from K-12 and postsecondary.



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Denise Juneau
Superintendent

Rapid Response through Adult Basic and Literacy Education

Total Request: \$500,000

Adult Basic and Literacy Education (ABLE) is designed to help individuals who do not have a high school diploma or GED and have yet to achieve sufficient mastery of basic educational skills. It is estimated that in Montana, approximately 120,000 adults 16 years and older are no longer in school and do not have a high school diploma or a GED.

The OPI ABLE Program works with twenty adult basic education programs in both large and small communities all across the state from Glendive to Kalispell.

During this current economic downturn, ABLE is one of the primary programs needed to serve the increasing numbers of dislocated workers. Once the immediate needs of dislocated workers such as food, insurance, and health care are addressed, many of our dislocated workers turn to education as their means of moving forward toward finding jobs and future careers.

ABLE provides dislocated workers free educational services in at least two primary ways:

1. Individuals lacking a high school diploma or GED can receive instruction to help them prepare for the GED test; and
2. Individuals access ABLE to brush up their skills in basic academics prior to enrollment in college or prior to taking college entrance exams to help them with a no-cost alternative to remedial classes from the University system.

Adult Basic enrollments have increased dramatically over the past two months and it is predicted that hundreds of dislocated workers will require adult basic services in the coming months.

ABLE is charged with helping dislocated workers recognize their entry-level skill sets, develop a plan of improvement and help them reach their goals.

Over the last five years, ABLE programs have served approximately 4,000 individuals. However, without increased resources, ABLE programs simply cannot serve the needs of the ever growing number of dislocated workers who have educational needs.

Our experience with a rapid response to the closure of the Stimson Lumber Mill is a good example of both the impact on Adult Basic Education of an economic downturn, and how displaced workers turn to Adult Basic Education as an important step in the recovery from their job loss. There were a total of 287 individuals involved in the layoffs at Stimson. Adult Basic Education served 177 or 62% of those laid off.

- **In school year 2006/2007, 17 former employees of Stimson received a total of 1443 hours of instruction.**
- **In school year 2007/2008 145 former employees received a total of 4009 hours of instruction.**
- **In school year 2008/2009 to date, 67 former employees received a total of 4101 hours of instruction.**

The request covers the cost of adult basic education services for displaced workers. This proposal will expand the capacity of our adult basic education centers to serve, at a minimum, an additional 500 enrollees.

Funds under this proposal will be used to:

- purchase and administer pre-and post tests
- increase the number of hours on-site staff are available for intake, orientation and career exploration, and consultation
- Document program effectiveness through data collection
- expand distance learning opportunities
- increase the number of hours Adult Basic Education staff are available for instruction
- update curriculum materials
- update equipment and software

Accountability for how the funds will be used will include tracking the number of:

- dislocated workers served
- dislocated workers enrolling in postsecondary
- dislocated workers entering the workforce
- dislocated workers attaining a GED

For many reasons, our adult basic education centers are highly motivated to meet the needs of our dislocated workers. The centers are staffed by talented individuals who feel responsible for improving the economic well-being of dislocated workers. The centers are also motivated by accountability measures. Performance indicators are included as one of the measures used to determine funding levels for our adult basic education centers.

These programs have a positive track record of being responsive to communities that are experiencing an economic downturn. The demand for services from adult basic education increases as unemployment goes up. This proposal is intended to provide the funding necessary for these centers to adequately respond to the anticipated increase in demand for services.



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A well implemented RTI framework is complex and requires ongoing high-quality professional development for all school personnel. It is the goal of the OPI that all schools receive high-quality training on the essential components for effective RTI implementation. RTI trainers would be identified and trained regionally throughout the state to provide ongoing training off-site and differentiated on-site training to all school staff. The one-time stimulus money would provide the opportunity to guarantee that all schools in the state receive a strong foundation on RTI.

Advanced Placement Summer Institutes - \$500,000

The Pre-Advanced Placement (Pre-AP) and Advanced Placement (AP) Summer Institutes are subject-specific professional development opportunities. They provide teachers with the support and training needed to use Pre-AP teaching strategies and to teach AP courses. Pre-AP preparation and AP courses infuse rigor into classrooms and prepare students, including students currently underrepresented in these programs, for success when they graduate. All students can benefit from Pre-AP learning strategies and AP classes. The goal of the Office of Public Instruction is to provide these professional development opportunities for Montana high school teachers so they will return to their schools ready to incorporate Pre-AP strategies into their regular classrooms and/or teach AP classes.

Summer Institutes: Content Specific Professional Development - \$1,500,000

The one-time-only funding will provide regional summer institutes, ongoing online support for Montana K-12 teachers, and financial and technical support for teachers required to take and pass the Praxis II content knowledge tests.

The summer institutes are professional learning opportunities designed to help teachers improve subject-matter knowledge to better meet the learning needs of all students. The design, delivery and evaluation of the summer institutes will be created by the regional service areas in partnership with Montana's postsecondary institutions. The funding will provide support for 5 summer institutes: one institute in each of the five regional service areas. The course content will be taught by high school and postsecondary faculty, experts in the specific content area. The content areas for these summer institutes will be: Science, Math, and English.

These one-time funds will cover the costs for:

- Institute faculty (6 faculty per region) mileage, lodging, per diem and honoraria;
- 200 teachers lodging, per diem, and travel to a regional site to participate in a 3 day institute; and
- Materials and resources to support the institutes.

Institutes will be held in K-12 schools or postsecondary institutions at no cost.

Evaluation of the summer institute program and ongoing technical assistance for participants will be conducted using an online tool (e.g., Google.docs). This ongoing online support for participating teachers will be implemented and administered by the regional service areas.

These one-time funds will cover the costs for:

- Establishment, maintenance, and evaluation of the online tool by the five regional service areas; and

- Support to regional service areas to provide an annual report to the Office of Public Instruction and Board of Public Education on the effectiveness of the institutes in helping teachers to improve subject-matter knowledge and the impact on student learning.

Some Montana teachers do not meet the highly qualified teacher requirements of NCLB. These funds will assist K-12 teachers in the preparation, cost of registration and test fees to ensure these teachers take and pass the Praxis II subject matter tests.

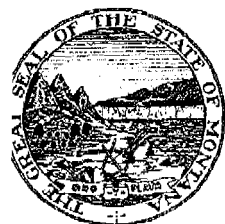
These one-time funds will cover the costs for:

- Payment for registration and test fees for 100 teachers required to take and pass the Praxis II content tests;
- Praxis II test preparation classes for Science, Math, and English in each regional service area;
- Faculty costs mileage, lodging, per diem and honoraria;
- 100 teachers lodging, per diem, and travel to a regional site to participate a 2-day Praxis II test preparation class; and
- Materials and resources for the participating teachers.

Praxis II test preparation classes will be held in K-12 schools or postsecondary institutions at no cost.

Elementary Math/Science Specialists Program: \$1,500,000

This pilot program will increase math and science content knowledge for a cohort of elementary teachers. Two schools within each of the five Regional Service Areas will be selected from a pool of volunteer schools. Experts from K-12 and postsecondary will collaborate in the design and delivery of the program. The math/science cohort teachers will serve as a model of best practices that include explicit math and science content instruction based on content and performance standards. Teachers with strong math and science content knowledge have the greatest impact on students' achievement. Funds will cover the costs of the design, delivery and evaluation of the math and science content and of travel, lodging, and per diem, at state rates, for the math/science cohort teachers and the experts from K-12 and postsecondary.



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Denise Juneau
Superintendent

Rapid Response through Adult Basic and Literacy Education

Total Request: \$500,000

Adult Basic and Literacy Education (ABLE) is designed to help individuals who do not have a high school diploma or GED and have yet to achieve sufficient mastery of basic educational skills. It is estimated that in Montana, approximately 120,000 adults 16 years and older are no longer in school and do not have a high school diploma or a GED.

The OPI ABLE Program works with twenty adult basic education programs in both large and small communities all across the state from Glendive to Kalispell.

During this current economic downturn, ABLE is one of the primary programs needed to serve the increasing numbers of dislocated workers. Once the immediate needs of dislocated workers such as food, insurance, and health care are addressed, many of our dislocated workers turn to education as their means of moving forward toward finding jobs and future careers.

ABLE provides dislocated workers free educational services in at least two primary ways:

1. Individuals lacking a high school diploma or GED can receive instruction to help them prepare for the GED test; and
2. Individuals access ABLE to brush up their skills in basic academics prior to enrollment in college or prior to taking college entrance exams to help them with a no-cost alternative to remedial classes from the University system.

Adult Basic enrollments have increased dramatically over the past two months and it is predicted that hundreds of dislocated workers will require adult basic services in the coming months. ABLE is charged with helping dislocated workers recognize their entry-level skill sets, develop a plan of improvement and help them reach their goals.

Over the last five years, ABLE programs have served approximately 4,000 individuals. However, without increased resources, ABLE programs simply cannot serve the needs of the ever growing number of dislocated workers who have educational needs.

Our experience with a rapid response to the closure of the Stimson Lumber Mill is a good example of both the impact on Adult Basic Education of an economic downturn, and how displaced workers turn to Adult Basic Education as an important step in the recovery from their job loss. There were a total of 287 individuals involved in the layoffs at Stimson. Adult Basic Education served 177 or 62% of those laid off.

- In school year 2006/2007, 17 former employees of Stimson received a total of 1443 hours of instruction.**
- In school year 2007/2008 145 former employees received a total of 4009 hours of instruction.**
- In school year 2008/2009 to date, 67 former employees received a total of 4101 hours of instruction.**

The request covers the cost of adult basic education services for displaced workers. This proposal will expand the capacity of our adult basic education centers to serve, at a minimum, an additional 500 enrollees.

Funds under this proposal will be used to:

- purchase and administer pre-and post tests
- increase the number of hours on-site staff are available for intake, orientation and career exploration, and consultation
- Document program effectiveness through data collection
- expand distance learning opportunities
- increase the number of hours Adult Basic Education staff are available for instruction
- update curriculum materials
- update equipment and software

Accountability for how the funds will be used will include tracking the number of:

- dislocated workers served
- dislocated workers enrolling in postsecondary
- dislocated workers entering the workforce
- dislocated workers attaining a GED

For many reasons, our adult basic education centers are highly motivated to meet the needs of our dislocated workers. The centers are staffed by talented individuals who feel responsible for improving the economic well-being of dislocated workers. The centers are also motivated by accountability measures. Performance indicators are included as one of the measures used to determine funding levels for our adult basic education centers.

These programs have a positive track record of being responsive to communities that are experiencing an economic downturn. The demand for services from adult basic education increases as unemployment goes up. This proposal is intended to provide the funding necessary for these centers to adequately respond to the anticipated increase in demand for services.

Proposal for Distribution of Section E Stimulus Funds

EXHIBIT 2

DATE 3/12/07

HB 645



Montana School Boards
Association



School Administrators
of Montana



Montana Rural Education
Association

The Montana School Boards Association, School Administrators and Montana Rural Education Association have discussed the Governor's proposed stimulus distribution for K-12 public schools and have come to agreement on a proposal for distribution of such funds. Our agreement is based on a common understanding of the financial challenges facing Montana's public schools over the coming two years.

Under The Governor's original proposed budget increase for K-12 public schools under House Bill 15 and the special education increases proposed in House Bill 2, member school districts statewide are anticipated to be able to increase their present adopted general fund budgets of \$932 million by approximately 1.54% without a voted levy. This is a statewide average, so there are districts both above and below this average, but overall this is what schools are facing. Inflationary pressures in general fund budgets are significantly higher than 1.54% and with the prospects for voted levies dimmed by present economic circumstances, school districts are looking at the stimulus funds as a two year bridge that can help them avoid cuts while the economy revives.

The Governor's office has identified two key priorities for K-12 public education:

1. \$43 million for modernization, repairs and renovation as provided by ARRA; and
2. \$43 million for deposit into TRS.

In light of the circumstances above, we believe that a redistribution of these funds is in order to ensure that school districts can participate in the goals of ARRA through job savings and participation in activities that will lead to the economic stimulus needed to help Montanans recover from present circumstances. We recommend a distribution of the \$86 million as follows:

Item	Cost
\$5,000 per quality educator with 12,590 quality educators per fiscal note on SB 69	\$62,950,000
Fund Virtual Academy in HB 459, Net Costs After \$2 million in Higher Ed distance learning funding	\$2,200,000
Distribute money for modernization, repairs and renovation using per school unit distribution mechanism from May 2007 Special Session (should fund approximately \$20,000 per every group of 250 elementary, 450 middle school and 800 high school students with a minimum of one unit for each school level in a district)	\$20,850,000
TOTAL	\$86,000,000

452



K-12 Quality School Facilities

HB 152 --

\$12 million appropriation

- ✓ Create Quality Schools Facility Program
- ✓ Funds from trust lands sources
- ✓ Dedicated \$ for facilities & distance learning technologies
- ✓ Competitive Grant (TSEP Model) for:
 - ✓ facilities
 - ✓ planning
 - ✓ Emergencies
- ✓ Consult with OPI and A & E
- ✓ Projects recommended by Dept of Commerce to Governor for Legislative Approval

Department of
Commerce

HB 645 -- \$ 43 million

- ARRA stimulus implementation
- Administered via HB152



Recommend: Amend \$10 million for “Quick Start Energy Grants”

- Award grants immediately
- Create summer jobs

Amendment to HB 645

OPI Budget Program 6

Appropriate \$100,000 to the Montana Learning Center for facility repair, handicap retrofit, and maintenance.

Rationale:

Montana Learning Center at Canyon Ferry Lake

www.MontanaLearning.org

Mission Statement: The Montana Learning Center at Canyon Ferry Lake provides and promotes exemplary mathematics and science education for all.

Montana Learning Center Infrastructure Needs

Legislative Request

MLC is currently seeking a little over \$100,000 from the next biennium general fund budget for maintenance and upkeep. It is our intention that the funding should go into infrastructure improvement and energy retrofits designed to maintain the buildings, improve energy efficiency, improve handicapped access and enhance the utility of the space.

Infrastructure Immediate Needs

- Handicap access to three buildings: (dining room; classroom building; computer building - includes doorways, sinks, toilet, bath fixtures, additional ramps, etc.) Estimation. by Matt Warner, Helena engineer : \$33,000
- Kitchen/dining room retro-fit (electrical upgrade and retrofit to accommodate commercial size appliances) Estimation by commercial electrical contractor and general contractor for retrofit: \$34,000
- Retrofit modification to heating systems to improve efficiency by 20%. Estimation by Gene Hickman \$6,000 per house for 15 houses for a total of \$90,000
- Replacement of old style dorm windows in 7 houses with double pane low-e models. Estimation by Mel Barber \$35,000.
- Water pump and irrigation system for grounds. There is currently too much demand for the two wells and the upper well goes dry during times of heavy usage for houses and for watering the grounds. We have the water rights but need to install a pump at the lake as well as set up a system of hydrants for watering the grounds. Estimation by Mel Barber \$25,000 with a goal to Zero-scaping to minimize water use
- Resurfacing flooring, plumbing repair, electrical system repair, new heating system and painting for house flooded from frozen pipe \$36,000

Long Term Structure Priorities

- Dock redesign and update slips to maintenance free surfaces \$38,000
- Dorm replacements or expanded shower facilities within existing dorms
- New building for large meetings and kitchen facilities

**Bozeman Public Schools**

404 West Main, P.O. Box 520
Bozeman, MT 59771-0520
www.bsd7.org

EXHIBIT 4DATE 3/12/09HB 1042**Kirk J. Miller, Ed.D.**
Superintendent

Phone: (406) 522-6001
Fax: (406) 522-6065
kirk.miller@bsd7.org

March 12, 2009

Members of the Joint Appropriations Subcommittee on Education:

In cooperation with Bozeman area Legislators, Bozeman Public Schools formally requests consideration of the following projects for the Legislature's consideration under the American Reinvestment and Recovery Act as allocated to the State of Montana. We have reviewed the language in the Act and believe that the projects requested meet the criteria established for employment and facility projects that will stimulate the economy.

Bozeman High School Auditorium (\$12,000,000)

In 2006 the Bozeman Community approved a bond initiative for renovation and reconstruction of Bozeman High School to meet the needs of growth in student population projected in the Long Range Facility planning process. Voters approved \$36 million for the renovation, which originally included the construction of an auditorium/performing arts center that would be attached to the high school building. This was intended to provide educational opportunities to Bozeman High School students in performing arts, music, dance, theatre, and drama instruction similar to other large high schools in the State. Bozeman High School is the only large high school in the State of Montana without an attached auditorium. Additionally, the Bozeman community and surrounding Gallatin Valley has a strong commitment to the performing arts through the symphony, opera, ballet, and community dance and theatre organizations in which current facilities available are so overscheduled that all requests for use cannot be met. Due to the cost of the building environment the auditorium was removed from the renovation project. Nonetheless, we have continued to plan for an eventual auditorium. We have completed a schematic design and are under contract with a company that specializes in auditorium programming. Funding for this project is unknown at this time. The estimated amount needed to complete the project is \$12,000,000.

Replace Bozeman High School boiler (\$300,000)

Existing Bozeman High School boilers are 50 plus years old. The boilers that serve the North portion of the building are included in the current renovation project. However, the boilers that service the South portion of the building are not included. They are all obsolete and in disrepair.

Bozeman High School – Energy Retrofit of Instructional Area (\$200,000)

Existing structure is uninsulated masonry construction. This project would install an envelope insulation system for much-improved energy efficiency.

Roof and fascia replacements (\$730,000)

Several roofs throughout the District have been in service for 20 plus years and are failing. These projects will also allow for the improvement of the insulation value of the building.

- Bozeman High School (\$275,000)
- West Willson School (\$220,000)
- East Willson (\$235,000)

Replace Spalled Concrete and failing sidewalks throughout the District (\$325,000)

This project would allow the District to repair areas that are quickly becoming safety hazards. It will also allow repair of some structural issues for District buildings.

- Bozeman High School (\$150,000)
- Willson School/Emerson (\$105,000)
- Whittier School (\$55,000)
- Longfellow (\$15,000)

1155

Upgrade Bozeman High School Vocational Education Areas (\$200,000)

Replace/improve utility services to classroom areas, update information technology services, install energy improvements to envelope and lighting, address code/life-safety deficiencies, repair finishes.

Subgrade and repave failing asphalt areas throughout the district (\$300,000)

- Bozeman High School south oval and southeast parking lot (\$125,000)
- Morningstar play area and loading dock (\$140,000)
- Longfellow parking lot (\$35,000)

Pave Ferguson Avenue (\$200,000)

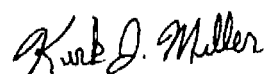
The school district recently built a new Middle School. There are unfinished items for this project as a result of lack of money. The School District is responsible for the paving of Ferguson Avenue, which runs on the East side of the school.

Replace Willson School Windows (\$295,000)

Existing windows are original single-pane, metal-frame without thermal breaks. Operating hardware is obsolete and in disrepair. This project would replace windows with insulated glass and frames, providing improved energy efficiency and a maintainable installation.

We are providing this list at your request to do our part to stimulate the Montana economy with school projects that meet community needs, create greater safety and energy efficiency for years into the future. Each of these project are shovel ready to be accomplished under the criteria of the American Reinvestment and Recovery Act. Thank you for your attention to our requests.

Respectfully,



Kirk J. Miller
Superintendent
Bozeman School District #7



Steven D. Johnson
Assistant Superintendent Finance and Operations
Bozeman School District #7

Cc: Trustees, Bozeman School District #7

EXHIBIT 5DATE 3/12/09HB 645

1

Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).
2) Some districts that receive Title I Basic and Concentration Grants do not receive funds from these two portions of the formula.

CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2008 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Beaverhead	0006	BEAVERHEAD COUNTY HIGH SCHOOL	391	21,420	20,594	42,014	107	12,019	31
Beaverhead	0005	DILLON ELEMENTARY	693	44,382	41,795	86,177	124	22,974	33
Beaverhead	0003	GRANT ELEMENTARY	14	0	0	0	-	258	18
Beaverhead	0014	JACKSON ELEMENTARY	15	0	0	0	-	-	-
Beaverhead	0009	LIMA K-12 SCHOOLS	96	12,415	12,312	24,727	258	6,919	72
Beaverhead	0012	POLARIS ELEMENTARY	-	0	0	0	-	-	-
Beaverhead	0015	REICHLER ELEMENTARY	21	0	0	0	-	-	-
Beaverhead	0010	WISDOM ELEMENTARY	18	0	0	0	-	-	-
Beaverhead	0007	WISE RIVER ELEMENTARY	21	0	0	0	-	-	-
Big Horn	0023	HARDIN ELEMENTARY	1,225	266,609	284,701	551,310	450	91,448	75
Big Horn	1189	HARDIN HIGH SCHOOL	499	61,689	60,307	121,996	244	22,905	46
Big Horn	0025	LODGE GRASS ELEMENTARY	243	78,274	88,791	167,065	688	35,505	146
Big Horn	1190	LODGE GRASS HIGH SCHOOL	158	31,973	34,822	66,795	423	13,622	86
Big Horn	1214	PLENTY COUPS HIGH SCHOOL	74	10,102	10,703	20,805	281	4,060	55
Big Horn	0021	PRYOR ELEMENTARY	52	30,050	33,701	63,751	1,226	16,795	323
Big Horn	0020	SPRING CREEK ELEMENTARY	8	0	0	0	-	-	-
Big Horn	0026	WYOLA ELEMENTARY	75	18,183	21,100	39,283	524	7,265	97
Blaine	0048	BEAR PAW ELEMENTARY	9	0	0	0	-	-	-
Blaine	0028	CHINOOK ELEMENTARY	241	30,405	30,431	60,836	252	11,357	47
Blaine	0029	CHINOOK HIGH SCHOOL	128	11,098	10,164	21,262	166	4,458	35
Blaine	0032	CLEVELAND ELEMENTARY	9	0	0	0	-	-	-
Blaine	0030	HARLEM ELEMENTARY	399	52,850	52,443	105,293	264	21,437	54
Blaine	0031	HARLEM HIGH SCHOOL	186	17,277	16,593	33,870	182	6,690	36
Blaine	1213	HAYS-LODGE POLE K-12 SCHOOLS	238	93,310	108,259	201,569	847	37,978	160
Blaine	1216	NORTH HARLEM COLONY ELEMENTARY	9	0	0	0	-	-	-
Blaine	0044	TURNER ELEMENTARY	58	6,951	7,014	13,965	241	2,913	50
Blaine	0045	TURNER HIGH SCHOOL	42	0	0	0	-	-	-
Blaine	0034	ZURICH ELEMENTARY	44	7,329	9,465	16,794	382	4,483	102
Broadwater	0055	TOWNSEND K-12 SCHOOLS	731	35,607	33,787	69,394	95	18,957	26
Carbon	0076	BELFRY K-12 SCHOOLS	84	3,867	3,718	7,585	90	1,976	24
Carbon	0059	BRIDGER K-12 SCHOOLS	199	11,928	11,173	23,101	116	8,236	41
Carbon	0071	FROMBERG ELEMENTARY	118	7,802	7,289	15,091	128	5,593	47
Carbon	0072	FROMBERG HIGH SCHOOL	49	3,779	3,586	7,345	150	2,658	54
Carbon	0060	JOLIET ELEMENTARY	278	7,140	6,864	14,004	50	4,926	18
Carbon	0061	JOLIET HIGH SCHOOL	140	3,570	3,432	7,002	50	1,701	12
Carbon	1231	LUTHER ELEMENTARY	44	0	0	0	-	-	-
Carbon	0056	RED LODGE ELEMENTARY	315	0	0	0	-	3,008	10
Carbon	0057	RED LODGE HIGH SCHOOL	199	5,950	5,720	11,670	59	3,122	16
Carbon	0089	ROBERTS K-12 SCHOOLS	148	3,272	3,146	6,418	43	-	-
Carter	0086	ALZADA ELEMENTARY	3	0	0	0	-	-	-
Carter	0087	CARTER COUNTY HIGH SCHOOL	63	0	0	0	-	233	4
Carter	0087	EKALAKA ELEMENTARY	82	6,575	7,034	13,609	166	5,391	66
Carter	0078	HAWKS HOME ELEMENTARY	13	0	0	0	-	-	-
Cascade	0112	BELT ELEMENTARY	219	8,925	8,580	17,505	80	5,363	24
Cascade	0113	BELT HIGH SCHOOL	124	3,570	3,432	7,002	56	2,346	19
Cascade	0101	CASCADE ELEMENTARY	231	9,620	9,152	18,772	81	6,765	29
Cascade	0102	CASCADE HIGH SCHOOL	157	5,355	5,148	10,503	67	3,115	20
Cascade	0104	CENTERVILLE ELEMENTARY	170	18,757	19,032	37,789	222	11,806	68
Cascade	0105	CENTERVILLE HIGH SCHOOL	92	2,975	2,860	5,835	63	2,314	25
Cascade	1195	DEEP CREEK ELEMENTARY	5	0	0	0	-	-	-
Cascade	0098	GREAT FALLS ELEMENTARY	7,260	525,540	505,270	1,030,810	142	322,844	44
Cascade	0099	GREAT FALLS HIGH SCHOOL	9,623	164,953	158,261	323,214	89	49,611	14
Cascade	0118	SIMMS HIGH SCHOOL	123	5,057	4,862	9,919	81	3,658	30
Cascade	1225	SUN RIVER VALLEY ELEMENTARY	218	12,792	12,299	25,091	115	8,957	41
Cascade	0131	ULM ELEMENTARY	95	5,652	5,434	11,086	117	3,984	42
Cascade	0127	VAUGHN ELEMENTARY	84	4,165	4,004	8,169	97	2,650	32
Chouteau	0171	BENTON LAKE ELEMENTARY	9	0	0	0	-	-	-
Chouteau	0137	BIG SANDY ELEMENTARY	102	7,905	7,450	15,355	151	3,827	38
Chouteau	0138	BIG SANDY HIGH SCHOOL	70	6,137	5,745	11,882	170	2,923	42
Chouteau	0159	CARTER ELEMENTARY	7	0	0	0	-	-	-
Chouteau	0133	FORT BENTON ELEMENTARY	184	7,140	6,864	14,004	76	4,052	22

LEA allocations are not final. SEA must adjust these allocations to provide for school improvement and State administration and to account for eligible LEAs not on the Census list that did not receive an allocation from ED.

USA

Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

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Chouteau	0134	FORT BENTON HIGH SCHOOL	124	6,247	6,006	12,253	99	2,733	22
Chouteau	0153	GERALDINE ELEMENTARY	50	3,570	3,432	7,002	119	-	-
Chouteau	0154	GERALDINE HIGH SCHOOL	43	0	0	0	-	-	-
Chouteau	0145	HIGHWOOD ELEMENTARY	84	5,618	5,126	10,744	168	2,774	43
Chouteau	0146	HIGHWOOD HIGH SCHOOL	46	0	0	0	-	-	-
Chouteau	0161	KNEES ELEMENTARY	18	0	0	0	-	-	-
Chouteau	0144	WARRICK ELEMENTARY	6	0	0	0	-	-	-
Custer	0182	COTTONWOOD ELEMENTARY	6	0	0	0	-	-	-
Custer	0182	CUSTER COUNTY HIGH SCHOOL	637	29,364	28,164	57,528	90	11,229	18
Custer	0187	KINSEY ELEMENTARY	76	0	0	0	-	221	3
Custer	0173	KIRCHER ELEMENTARY	40	0	0	0	-	-	-
Custer	0172	MILES CITY ELEMENTARY	1,069	60,782	57,359	118,141	111	36,664	34
Custer	1238	S H ELEMENTARY	7	0	0	0	-	-	-
Custer	0179	SPRING CREEK ELEMENTARY	5	0	0	0	-	-	-
Custer	0177	TRAIL CREEK ELEMENTARY	4	0	0	0	-	-	-
Custer	1232	TWIN BUTTES ELEMENTARY	-	0	0	0	-	-	-
Daniels	0196	PEERLESS K-12 SCHOOLS	33	0	0	0	-	-	-
Daniels	0194	SCOBEE K-12 SCHOOLS	252	10,817	10,270	21,087	84	6,563	26
Dawson	0215	BLOOMFIELD ELEMENTARY	15	0	0	0	-	165	11
Dawson	0207	DAWSON HIGH SCHOOL	426	14,875	14,301	29,176	68	9,435	22
Dawson	1193	DEER CREEK ELEMENTARY	18	5,950	5,720	11,670	648	2,849	158
Dawson	0206	GLENDALE ELEMENTARY	805	26,477	25,458	51,933	65	15,530	19
Dawson	0216	LINDSAY ELEMENTARY	12	4,481	4,284	8,765	730	584	49
Dawson	0227	RICHEY ELEMENTARY	49	0	0	0	-	226	5
Dawson	0228	RICHEY HIGH SCHOOL	26	0	0	0	-	-	-
Deer Lodge	0236	ANACONDA ELEMENTARY	833	76,114	68,332	143,446	172	35,175	42
Deer Lodge	0237	ANACONDA HIGH SCHOOL	464	28,009	24,012	50,021	108	11,641	25
Fallon	0244	BAKER K-12 SCHOOLS	397	11,305	10,869	22,174	56	7,595	19
Fallon	0256	PLEVNA K-12 SCHOOLS	88	2,975	2,860	5,835	66	371	4
Fergus	1218	AYERS ELEMENTARY	16	0	0	0	-	-	-
Fergus	0264	DEERFIELD ELEMENTARY	7	0	0	0	-	-	-
Fergus	0281	DENTON ELEMENTARY	78	3,570	3,432	7,002	90	2,187	28
Fergus	0282	DENTON HIGH SCHOOL	46	0	0	0	-	162	3
Fergus	0259	FERGUS HIGH SCHOOL	447	18,147	17,447	35,594	80	8,084	18
Fergus	0268	GRASS RANGE ELEMENTARY	46	4,092	3,767	7,859	175	2,475	55
Fergus	0269	GRASS RANGE HIGH SCHOOL	35	0	0	0	-	265	8
Fergus	0272	KING COLONY ELEMENTARY	14	0	0	0	-	-	-
Fergus	0258	LEWISTOWN ELEMENTARY	892	49,063	46,225	95,288	107	30,819	35
Fergus	0273	MOORE ELEMENTARY	80	0	0	0	-	242	4
Fergus	0274	MOORE HIGH SCHOOL	47	0	0	0	-	-	-
Fergus	0280	ROY K-12 SCHOOLS	71	3,272	3,146	6,418	90	1,676	24
Fergus	0288	SPRING CREEK COLONY ELEMENTARY	10	0	0	0	-	-	-
Fergus	0291	WINIFRED K-12 SCHOOLS	99	9,369	8,933	19,002	192	6,046	61
Flathead	0330	BIGFORK ELEMENTARY	508	24,395	23,454	47,849	94	14,910	29
Flathead	0331	BIGFORK HIGH SCHOOL	370	14,875	14,301	29,176	79	8,191	22
Flathead	0317	CAYUSE PRAIRIE ELEMENTARY	190	8,925	8,580	17,505	92	4,445	23
Flathead	0312	COLUMBIA FALLS ELEMENTARY	1,659	126,584	116,316	242,900	146	72,707	44
Flathead	0313	COLUMBIA FALLS HIGH SCHOOL	890	49,727	46,269	95,996	108	28,598	33
Flathead	0316	CRESTON ELEMENTARY	79	4,165	4,004	8,169	103	2,245	28
Flathead	0307	DEER PARK ELEMENTARY	106	2,975	2,860	5,835	54	2,393	22
Flathead	0339	EVERGREEN ELEMENTARY	810	47,891	44,330	92,221	114	23,980	30
Flathead	0308	FAIR-MONT-EGAN ELEMENTARY	178	3,867	3,718	7,585	43	2,923	16
Flathead	0311	FLATHEAD HIGH SCHOOL	2,611	115,098	110,575	225,673	86	40,392	15
Flathead	0320	HELENA FLATS ELEMENTARY	237	7,437	7,150	14,587	62	2,948	12
Flathead	0310	KALISPELL ELEMENTARY	2,785	102,638	98,679	201,317	72	40,953	15
Flathead	0323	KILA ELEMENTARY	170	15,572	14,176	29,748	175	8,989	53
Flathead	0341	MARION ELEMENTARY	127	4,760	4,576	9,336	74	3,087	24
Flathead	0342	OLNEY-BISSELL ELEMENTARY	84	6,969	6,564	13,533	161	4,224	50
Flathead	0325	PLEASANT VALLEY ELEMENTARY	6	0	0	0	-	-	-
Flathead	0324	SMITH VALLEY ELEMENTARY	216	13,316	12,348	25,664	119	7,871	36
Flathead	0327	SOMERS ELEMENTARY	587	27,492	26,392	53,884	92	17,233	29

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Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).
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CO	LE	LOCAL EDUCATION AGENCY	FY 2008 Budgeted ANB	FY 2008 TARGETED ALLOCATION	FY 2008 EFIG ALLOCATION	FY 2008 TOTAL ALLOCATION	FY 2008 Federal Title 1A per ANB	FY 2008 State at Risk Payment	FY 2008 State At Risk Payment per ANB
Statewide			148,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Flathead	0309	SWAN RIVER ELEMENTARY	168	11,651	10,900	22,551	134	7,014	42
Flathead	1223	WEST GLACIER ELEMENTARY	30	0	0	0	-	-	-
Flathead	1184	WEST VALLEY ELEMENTARY	389	15,172	14,587	29,759	77	9,389	24
Flathead	0334	WHITEFISH ELEMENTARY	1,204	74,438	70,784	145,222	121	45,826	38
Flathead	0335	WHITEFISH HIGH SCHOOL	710	36,787	34,829	71,616	101	22,491	32
Gallatin	0376	AMSTERDAM ELEMENTARY	90	11,900	11,441	23,341	259	7,728	86
Gallatin	0366	ANDERSON ELEMENTARY	200	3,570	3,432	7,002	35	1,914	10
Gallatin	0368	BELGRADE ELEMENTARY	2,031	56,525	54,345	110,870	55	32,683	16
Gallatin	0369	BELGRADE HIGH SCHOOL	673	20,230	19,449	39,679	45	6,388	7
Gallatin	0350	BOZEMAN ELEMENTARY	3,626	135,066	129,857	264,923	73	78,271	22
Gallatin	0351	BOZEMAN HIGH SCHOOL	1,987	59,798	57,481	117,289	59	21,230	11
Gallatin	0359	COTTONWOOD ELEMENTARY	15	0	0	0	-	-	-
Gallatin	0364	GALLATIN GATEWAY ELEMENTARY	166	3,867	3,718	7,585	46	2,179	13
Gallatin	0367	LAMOTTE ELEMENTARY	72	0	0	0	-	-	-
Gallatin	0370	MALMBORG ELEMENTARY	17	0	0	0	-	-	-
Gallatin	0347	MANHATTAN ELEMENTARY	351	15,172	14,587	29,759	85	9,638	27
Gallatin	0348	MANHATTAN HIGH SCHOOL	229	9,222	8,866	18,088	79	4,999	22
Gallatin	0363	MONFORTON ELEMENTARY	181	7,437	7,150	14,587	81	4,358	24
Gallatin	1238	OPHIR ELEMENTARY	180	0	0	0	-	-	-
Gallatin	0362	PASS CREEK ELEMENTARY	14	0	0	0	-	-	-
Gallatin	0357	SPRINGHILL ELEMENTARY	10	0	0	0	-	-	-
Gallatin	0360	THREE FORKS ELEMENTARY	409	8,330	8,008	16,338	40	4,773	12
Gallatin	0361	THREE FORKS HIGH SCHOOL	197	0	0	0	-	-	-
Gallatin	0374	WEST YELLOWSTONE K-12	220	8,330	8,008	16,338	74	4,596	21
Gallatin	0354	WILLOW CREEK ELEMENTARY	38	2,975	2,860	5,835	154	1,949	51
Gallatin	0355	WILLOW CREEK HIGH SCHOOL	23	0	0	0	-	-	-
Garfield	0380	BIG DRY CREEK ELEMENTARY	5	0	0	0	-	-	-
Garfield	0387	COHAGEN ELEMENTARY	6	0	0	0	-	-	-
Garfield	0378	GARFIELD COUNTY HIGH SCHOOL	64	3,363	3,204	6,567	103	382	6
Garfield	0377	JORDAN ELEMENTARY	101	3,883	3,633	7,516	74	385	4
Garfield	0386	KESTER ELEMENTARY	3	0	0	0	-	-	-
Garfield	0385	PINE GROVE ELEMENTARY	9	0	0	0	-	103	11
Garfield	0394	ROSS ELEMENTARY	7	0	0	0	-	-	-
Garfield	0392	SAND SPRINGS ELEMENTARY	6	0	0	0	-	-	-
Garfield	0382	VAN NORMAN ELEMENTARY	-	0	0	0	-	-	-
Glacier	0400	BROWNING ELEMENTARY	1,313	326,227	372,022	698,249	532	150,450	115
Glacier	0401	BROWNING HIGH SCHOOL	611	74,680	73,243	147,923	242	33,002	54
Glacier	0402	CUT BANK ELEMENTARY	653	86,696	86,421	173,117	313	38,171	69
Glacier	0403	CUT BANK HIGH SCHOOL	273	22,171	20,207	42,378	165	9,941	36
Glacier	0404	EAST GLACIER PARK ELEMENTARY	38	9,790	9,544	19,334	509	4,051	107
Glacier	1222	MOUNTAIN VIEW ELEMENTARY	31	0	0	0	-	-	-
Golden Valley	0411	LAVINA K-12 SCHOOLS	94	13,167	14,835	28,002	298	3,827	41
Golden Valley	0407	RYEGATE K-12 SCHOOLS	105	7,768	7,171	14,939	142	3,753	36
Granite	0419	DRUMMOND ELEMENTARY	126	5,616	5,316	10,932	87	2,641	21
Granite	0420	DRUMMOND HIGH SCHOOL	98	4,228	3,933	8,161	83	221	2
Granite	0418	HALL ELEMENTARY	25	0	0	0	-	-	-
Granite	0416	PHILIPSBURG K-12 SCHOOLS	186	22,718	20,568	43,286	233	10,826	58
Hill	0425	BOX ELDER ELEMENTARY	316	4,682	4,240	8,922	28	13,061	41
Hill	0426	BOX ELDER HIGH SCHOOL	97	0	0	0	-	1,395	14
Hill	0445	COTTONWOOD ELEMENTARY	18	3,329	3,087	6,416	356	2,269	126
Hill	0424	DAVEY ELEMENTARY	19	0	0	0	-	-	-
Hill	1217	GILDFORD COLONY ELEMENTARY	11	0	0	0	-	-	-
Hill	0427	HAVRE ELEMENTARY	1,320	96,960	89,796	186,756	141	57,304	43
Hill	0428	HAVRE HIGH SCHOOL	684	34,082	32,332	66,414	97	9,550	14
Hill	1233	NORTH STAR ELEMENTARY	110	4,462	4,290	8,752	80	1,883	18
Hill	1234	NORTH STAR HIGH SCHOOL	77	4,473	4,201	8,674	113	1,379	18
Hill	1207	ROCKY BOY ELEMENTARY	413	90,051	109,783	199,834	484	51,599	125
Hill	1229	ROCKY BOY HIGH SCHOOL	154	10,093	9,138	19,231	125	4,813	32
Jefferson	0455	BASIN ELEMENTARY	18	7,255	9,849	17,104	900	4,762	251
Jefferson	0456	BOULDER ELEMENTARY	198	21,053	19,024	40,077	202	10,222	52
Jefferson	0458	CARDWELL ELEMENTARY	52	0	0	0	-	-	-

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Legislative Fiscal Division

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Statewide			148,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Jefferson	0452	CLANCY ELEMENTARY	304	0	0	0	-	-	-
Jefferson	0457	JEFFERSON HIGH SCHOOL	261	0	0	0	-	1,900	7
Jefferson	0460	MONTANA CITY ELEMENTARY	425	7,437	7,150	14,587	34	3,294	8
Jefferson	0453	WHITEHALL ELEMENTARY	295	23,369	22,034	45,403	154	12,698	43
Jefferson	0454	WHITEHALL HIGH SCHOOL	217	7,735	7,436	15,171	70	4,116	19
Judith Basin	0472	GEYSER ELEMENTARY	56	4,972	4,791	9,763	174	4,023	72
Judith Basin	0473	GEYSER HIGH SCHOOL	42	0	0	0	-	-	-
Judith Basin	0469	HOBSON K-12 SCHOOLS	144	7,316	6,882	14,198	99	4,153	29
Judith Basin	0471	RAYNESFORD ELEMENTARY	42	0	0	0	-	-	-
Judith Basin	0464	STANFORD K-12 SCHOOLS	128	9,813	9,150	18,963	148	4,000	31
Lake	0474	ARLEE ELEMENTARY	305	38,027	36,066	74,093	243	22,045	72
Lake	0475	ARLEE HIGH SCHOOL	133	9,016	8,353	17,369	131	4,503	34
Lake	1205	CHARLO ELEMENTARY	242	23,078	22,360	45,438	188	12,042	50
Lake	1206	CHARLO HIGH SCHOOL	128	10,830	10,282	21,112	165	5,587	44
Lake	0477	POLSON ELEMENTARY	1,177	82,474	75,268	157,742	134	45,604	39
Lake	0478	POLSON HIGH SCHOOL	555	40,232	36,561	76,793	138	11,141	20
Lake	1199	RONAN ELEMENTARY	918	145,481	143,217	288,698	314	75,312	82
Lake	1200	RONAN HIGH SCHOOL	377	34,054	31,552	65,606	174	19,437	52
Lake	0481	ST IGNATIUS K-12 SCHOOLS	498	99,528	108,627	208,155	418	56,165	113
Lake	0486	SWAN LAKE-SALMON ELEMENTARY	5	0	0	0	-	-	-
Lake	1211	UPPER WEST SHORE ELEMENTARY	43	0	0	0	-	-	-
Lake	0483	VALLEY VIEW ELEMENTARY	19	9,281	12,844	22,135	1,165	5,211	274
Lewis & Clark	0498	AUCHARD CREEK ELEMENTARY	25	0	0	0	-	-	-
Lewis & Clark	0502	AUGUSTA ELEMENTARY	62	7,472	8,832	16,304	263	6,929	112
Lewis & Clark	0503	AUGUSTA HIGH SCHOOL	41	0	0	0	-	221	5
Lewis & Clark	0487	CRAIG ELEMENTARY	-	13,986	21,297	35,283	-	-	-
Lewis & Clark	0492	EAST HELENA ELEMENTARY	1,120	29,452	28,316	57,768	52	16,828	15
Lewis & Clark	0487	HELENA ELEMENTARY	5,181	226,549	217,811	444,360	86	140,305	27
Lewis & Clark	0488	HELENA HIGH SCHOOL	3,071	107,993	103,828	211,821	69	34,963	11
Lewis & Clark	1221	LINCOLN K-12 SCHOOLS	195	23,853	22,550	46,403	238	17,333	89
Lewis & Clark	0491	TRINITY ELEMENTARY	11	11,966	10,816	22,782	2,071	3,207	292
Lewis & Clark	0495	WOLF CREEK ELEMENTARY	13	0	0	0	-	3,034	233
Liberty	1236	CHESTER-JOPLIN-INVERNESS ELEMEN	183	9,520	9,152	18,672	102	6,138	34
Liberty	1237	CHESTER-JOPLIN-INVERNESS HIGH SC	87	5,355	5,148	10,503	121	4,145	48
Liberty	1224	LIBERTY ELEMENTARY	22	0	0	0	-	-	-
Liberty	0506	WHITLASH ELEMENTARY	4	0	0	0	-	-	-
Lincoln	0527	EUREKA ELEMENTARY	548	52,027	50,408	102,435	187	24,273	44
Lincoln	0529	FORTUNE ELEMENTARY	61	0	0	0	-	-	-
Lincoln	0522	LIBBY K-12 SCHOOLS	1,402	169,374	160,664	330,038	235	76,603	55
Lincoln	0528	LINCOLN COUNTY HIGH SCHOOL	355	17,024	16,060	33,084	93	8,172	23
Lincoln	0530	MCCORMICK ELEMENTARY	16	0	0	0	-	265	17
Lincoln	0532	SYLVANITE ELEMENTARY	-	0	0	0	-	-	-
Lincoln	0534	TREGO ELEMENTARY	52	0	0	0	-	-	-
Lincoln	0519	TROY ELEMENTARY	299	49,781	51,461	101,242	339	23,199	78
Lincoln	0520	TROY HIGH SCHOOL	182	21,125	20,529	41,654	229	10,094	55
Lincoln	0533	YAAK ELEMENTARY	8	0	0	0	-	-	-
Madison	0536	ALDER ELEMENTARY	21	0	0	0	-	221	11
Madison	0546	ENNIS K-12 SCHOOLS	373	9,817	9,438	19,255	62	5,009	13
Madison	0543	HARRISON K-12 SCHOOLS	110	5,950	5,720	11,670	106	3,394	31
Madison	0537	SHERIDAN ELEMENTARY	148	15,842	15,652	31,504	213	9,248	62
Madison	0538	SHERIDAN HIGH SCHOOL	95	3,272	3,146	6,418	68	1,676	18
Madison	0540	TWIN BRIDGES K-12 SCHOOLS	286	11,926	11,362	23,288	81	5,806	20
McCone	0547	CIRCLE ELEMENTARY	170	7,140	6,864	14,004	82	5,697	34
McCone	0548	CIRCLE HIGH SCHOOL	89	3,867	3,718	7,585	85	2,691	30
McCone	0566	VIDA ELEMENTARY	21	0	0	0	-	-	-
Meagher	0568	LENNEP ELEMENTARY	4	0	0	0	-	-	-
Meagher	0569	WHITE SULPHUR SPRINGS ELEMENTAR	183	21,590	20,644	42,234	231	9,256	51
Meagher	0570	WHITE SULPHUR SPRINGS HIGH SCHO	87	7,144	6,486	13,630	157	3,304	38
Mineral	0577	ALBERTON K-12 SCHOOLS	195	22,741	21,891	44,632	229	7,632	39
Mineral	0582	ST REGIS K-12 SCHOOLS	180	23,706	23,769	47,475	264	11,466	64
Mineral	0579	SUPERIOR K-12 SCHOOLS	385	24,797	22,663	47,460	123	12,897	33

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Legislative Fiscal Division

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Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Missoula	0590	BONNER ELEMENTARY	367	10,412	10,011	20,423	53	5,726	15
Missoula	0595	CLINTON ELEMENTARY	232	18,692	17,224	35,916	155	11,675	50
Missoula	0592	DESMET ELEMENTARY	147	14,452	15,990	30,442	207	11,174	76
Missoula	0599	FRENCHTOWN K-12 SCHOOLS	1,288	26,477	25,456	51,933	40	2,333	2
Missoula	0586	HELLGATE ELEMENTARY	1,313	37,485	36,039	73,524	56	22,291	17
Missoula	0588	LOLO ELEMENTARY	807	14,875	14,301	29,176	48	9,643	16
Missoula	0583	MISSOULA ELEMENTARY	5,024	447,445	430,187	877,632	175	268,407	53
Missoula	0584	MISSOULA HIGH SCHOOL	3,973	210,013	198,488	408,501	103	73,632	19
Missoula	0589	POTOMAC ELEMENTARY	111	9,156	8,347	17,503	158	5,870	53
Missoula	0597	SEELEY LAKE ELEMENTARY	197	10,115	9,724	19,839	101	6,056	31
Missoula	0594	SUNSET ELEMENTARY	9	0	0	0	-	-	-
Missoula	0596	SWAN VALLEY ELEMENTARY	46	0	0	0	-	1,537	33
Missoula	0593	TARGET RANGE ELEMENTARY	480	10,115	9,724	19,839	43	2,500	5
Missoula	0581	WOODMAN ELEMENTARY	36	0	0	0	-	-	-
Musselshell	0607	MELSTONE ELEMENTARY	57	8,005	7,948	15,953	280	4,374	77
Musselshell	0608	MELSTONE HIGH SCHOOL	22	0	0	0	-	-	-
Musselshell	0605	ROUNDUP ELEMENTARY	395	47,038	46,480	93,516	237	10,913	50
Musselshell	0606	ROUNDUP HIGH SCHOOL	200	21,267	20,371	41,638	208	9,143	46
Park	1215	ARROWHEAD ELEMENTARY	137	12,101	11,379	23,480	171	7,622	56
Park	0617	COOKE CITY ELEMENTARY	4	0	0	0	-	-	-
Park	0614	GARDINER ELEMENTARY	161	0	0	0	-	-	-
Park	1191	GARDINER HIGH SCHOOL	104	3,190	2,998	6,188	60	2,000	19
Park	0612	LIVINGSTON ELEMENTARY	972	51,468	49,483	100,951	104	32,708	34
Park	0613	PARK HIGH SCHOOL	655	24,097	23,168	47,265	85	7,877	14
Park	0620	PINE CREEK ELEMENTARY	29	0	0	0	-	-	-
Park	1227	SHIELDS VALLEY ELEMENTARY	160	14,670	13,407	28,077	175	8,966	56
Park	1228	SHIELDS VALLEY HIGH SCHOOL	97	4,462	4,290	8,752	90	3,306	34
Park	0635	SPRINGDALE ELEMENTARY	8	0	0	0	-	-	-
Petroleum	0642	WINNETT K-12 SCHOOLS	102	5,201	4,932	10,133	99	3,594	35
Phillips	0647	DODSON ELEMENTARY	45	5,632	5,532	11,164	248	5,011	111
Phillips	0648	DODSON HIGH SCHOOL	24	0	0	0	-	282	12
Phillips	0653	LANDUSKY ELEMENTARY	0	0	0	0	-	-	-
Phillips	0659	MALTA K-12 SCHOOLS	612	32,423	30,125	62,548	102	17,037	28
Phillips	1203	SACO ELEMENTARY	49	6,699	7,549	14,248	291	4,351	89
Phillips	0657	SACO HIGH SCHOOL	32	0	0	0	-	-	-
Phillips	0663	WHITEWATER K-12 SCHOOLS	71	8,623	9,840	18,463	260	5,195	73
Pondera	0674	CONRAD ELEMENTARY	414	26,910	24,876	51,786	125	11,163	27
Pondera	0675	CONRAD HIGH SCHOOL	221	12,136	11,306	23,442	106	3,432	16
Pondera	0671	DUPUYER ELEMENTARY	16	15,553	19,560	35,103	2,340	1,247	83
Pondera	1226	HEART BUTTE K-12 SCHOOLS	166	47,154	53,603	100,757	607	19,203	116
Pondera	0684	MIAMI ELEMENTARY	12	0	0	0	-	-	-
Pondera	0679	VALIER ELEMENTARY	151	5,057	4,862	9,919	66	2,640	17
Pondera	0680	VALIER HIGH SCHOOL	78	10,954	10,988	21,942	281	4,270	55
Powder River	0692	BENZIE ELEMENTARY	9	0	0	0	-	-	-
Powder River	0692	BIDDLE ELEMENTARY	9	0	0	0	-	-	-
Powder River	0705	BROADUS ELEMENTARY	210	6,842	6,578	13,420	64	4,567	22
Powder River	0706	POWDER RIVER CO DIST HIGH SCHOOL	142	2,975	2,860	5,835	41	248	2
Powder River	0709	SOUTH STACEY ELEMENTARY	7	0	0	0	-	-	-
Powell	0720	AVON ELEMENTARY	42	4,972	5,942	10,914	260	3,416	81
Powell	0712	DEER LODGE ELEMENTARY	494	30,618	28,682	59,300	120	20,515	42
Powell	0719	ELLUSTON ELEMENTARY	39	3,607	3,265	6,872	176	2,306	59
Powell	0718	GARRISON ELEMENTARY	14	0	0	0	-	165	12
Powell	0721	GOLD CREEK ELEMENTARY	6	0	0	0	-	-	-
Powell	0717	HELMVILLE ELEMENTARY	30	0	0	0	-	-	-
Powell	0715	OVANDO ELEMENTARY	18	0	0	0	-	219	12
Powell	0713	POWELL COUNTY HIGH SCHOOL	313	27,764	25,151	52,915	169	9,152	29
Prairie	0726	TERRY K-12 SCHOOLS	141	7,489	7,088	14,577	103	6,457	46
Ravalli	0731	CORVALLIS K-12 SCHOOLS	1,440	115,151	104,411	219,562	152	57,713	40
Ravalli	0740	DARBY K-12 SCHOOLS	457	59,448	53,930	113,378	248	29,806	65
Ravalli	0743	FLORENCE-CARLTON K-12 SCHOOLS	917	24,395	23,454	47,849	52	9,272	10
Ravalli	0735	HAMILTON K-12 SCHOOLS	1,657	119,828	109,316	229,144	138	60,589	37

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Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).
2) Some districts that receive Title I Basic and Concentration Grants do not receive funds from these two portions of the formula.

CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			148,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Ravalli	0741	LONE ROCK ELEMENTARY	317	22,158	20,590	42,748	135	11,680	37
Ravalli	0732	STEVENSVILLE ELEMENTARY	839	34,807	33,485	68,272	107	19,208	30
Ravalli	0733	STEVENSVILLE HIGH SCHOOL	457	21,122	20,308	41,430	91	11,518	25
Ravalli	0738	VICTOR K-12 SCHOOLS	378	19,337	18,591	37,928	101	9,976	27
Richland	0749	BRORSON ELEMENTARY	7	0	0	0	-	-	-
Richland	0750	FAIRVIEW ELEMENTARY	159	7,801	7,383	15,184	97	5,917	38
Richland	0751	FAIRVIEW HIGH SCHOOL	113	2,975	2,860	5,835	52	227	2
Richland	0768	LAMBERT ELEMENTARY	51	8,312	10,989	19,301	378	5,768	113
Richland	0769	LAMBERT HIGH SCHOOL	34	0	0	0	-	311	9
Richland	0754	RAU ELEMENTARY	81	0	0	0	-	-	-
Richland	0747	SAVAGE ELEMENTARY	86	3,272	3,146	6,418	97	2,177	33
Richland	0748	SAVAGE HIGH SCHOOL	48	0	0	0	-	-	-
Richland	0745	SIDNEY ELEMENTARY	739	30,642	29,460	60,102	81	19,316	26
Richland	0746	SIDNEY HIGH SCHOOL	435	13,080	12,585	25,675	59	5,208	12
Roosevelt	0785	BAINVILLE K-12 SCHOOLS	104	7,766	7,793	15,559	150	3,253	31
Roosevelt	0782	BROCKTON ELEMENTARY	86	37,780	45,000	82,780	963	14,335	167
Roosevelt	0783	BROCKTON HIGH SCHOOL	58	9,473	10,540	20,013	345	4,055	70
Roosevelt	0777	CULBERTSON ELEMENTARY	176	0	0	0	-	-	-
Roosevelt	0778	CULBERTSON HIGH SCHOOL	99	4,647	4,218	8,865	90	754	8
Roosevelt	0786	FROID ELEMENTARY	53	6,854	6,700	13,554	256	2,138	40
Roosevelt	0787	FROID HIGH SCHOOL	25	0	0	0	-	-	-
Roosevelt	0774	FRONTIER ELEMENTARY	134	5,445	4,920	10,365	77	987	7
Roosevelt	0775	POPLAR ELEMENTARY	611	242,768	298,800	541,368	886	91,470	150
Roosevelt	0776	POPLAR HIGH SCHOOL	221	48,903	54,343	103,246	467	19,615	89
Roosevelt	0780	WOLF POINT ELEMENTARY	595	125,668	137,676	263,344	443	49,597	83
Roosevelt	0781	WOLF POINT HIGH SCHOOL	282	39,659	39,941	79,600	282	13,844	49
Rosebud	0800	ASHLAND ELEMENTARY	69	20,860	19,982	40,842	601	9,321	137
Rosebud	0789	BIRNEY ELEMENTARY	7	0	0	0	-	-	-
Rosebud	0796	COLSTRIP ELEMENTARY	423	24,759	23,020	47,779	113	15,168	36
Rosebud	0797	COLSTRIP HIGH SCHOOL	251	7,437	7,150	14,587	58	6,675	27
Rosebud	0790	FORSYTH ELEMENTARY	270	23,377	21,181	44,558	165	9,395	35
Rosebud	0791	FORSYTH HIGH SCHOOL	156	7,871	7,333	15,204	97	2,295	15
Rosebud	0792	LAME DEER ELEMENTARY	392	174,213	213,084	387,307	988	67,101	171
Rosebud	1230	LAME DEER HIGH SCHOOL	184	78,044	88,044	166,088	903	28,543	155
Rosebud	0794	ROSEBUD ELEMENTARY	65	4,552	4,205	8,757	135	634	10
Rosebud	0795	ROSEBUD HIGH SCHOOL	37	0	0	0	-	-	-
Sanders	0813	CAMAS PRAIRIE ELEMENTARY	-	0	0	0	-	-	-
Sanders	0809	DIXON ELEMENTARY	71	13,856	19,545	33,401	470	8,139	115
Sanders	0814	HOT SPRINGS ELEMENTARY	159	35,407	43,642	79,049	497	18,573	117
Sanders	0815	HOT SPRINGS HIGH SCHOOL	69	6,194	5,959	12,153	176	3,287	48
Sanders	0811	NOXON ELEMENTARY	127	10,959	9,980	20,939	165	5,206	41
Sanders	0812	NOXON HIGH SCHOOL	91	6,247	6,006	12,253	135	2,723	30
Sanders	0808	PARADISE ELEMENTARY	32	0	0	0	-	312	10
Sanders	0802	PLAINS ELEMENTARY	312	43,099	43,487	86,586	278	17,615	56
Sanders	0803	PLAINS HIGH SCHOOL	178	6,545	6,292	12,837	72	2,858	16
Sanders	0804	THOMPSON FALLS ELEMENTARY	341	22,681	20,830	43,511	128	11,301	33
Sanders	0805	THOMPSON FALLS HIGH SCHOOL	242	21,740	21,742	43,482	180	9,070	37
Sanders	0807	TROUT CREEK ELEMENTARY	63	22,022	24,365	46,387	736	10,505	167
Sheridan	0822	MEDICINE LAKE K-12 SCHOOLS	108	5,860	5,472	11,332	105	7,092	66
Sheridan	0828	PLENTYWOOD K-12 SCHOOLS	388	12,197	11,727	23,924	82	5,886	15
Sheridan	0819	WESTBY K-12 SCHOOLS	50	3,502	3,198	6,700	112	-	-
Silver Bow	0840	BUTTE ELEMENTARY	3,095	204,852	192,987	397,839	129	138,142	45
Silver Bow	1212	BUTTE HIGH SCHOOL	1,688	77,177	73,398	150,575	95	29,838	19
Silver Bow	0843	DIVIDE ELEMENTARY	12	0	0	0	-	-	-
Silver Bow	0844	MELROSE ELEMENTARY	16	0	0	0	-	-	-
Silver Bow	0842	RAMSAY ELEMENTARY	152	8,330	8,008	16,338	107	5,797	38
Stillwater	0861	ABSAROKEE ELEMENTARY	199	4,760	4,576	9,336	47	2,492	13
Stillwater	0862	ABSAROKEE HIGH SCHOOL	114	0	0	0	-	-	-
Stillwater	0848	COLUMBUS ELEMENTARY	446	14,280	13,729	28,009	63	8,696	19
Stillwater	0849	COLUMBUS HIGH SCHOOL	240	3,570	3,432	7,002	29	2,011	8
Stillwater	0853	FISHTAIL ELEMENTARY	12	0	0	0	-	-	-

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Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).
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CO	LE	LOCAL EDUCATION AGENCY	FY 2008 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2008 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Stillwater	0852	MOLT ELEMENTARY	5	0	0	0	-	-	-
Stillwater	0857	NYE ELEMENTARY	7	0	0	0	-	-	-
Stillwater	0846	PARK CITY ELEMENTARY	243	7,735	7,436	15,171	62	4,792	20
Stillwater	0847	PARK CITY HIGH SCHOOL	101	0	0	0	-	-	-
Stillwater	0858	RAPELJE ELEMENTARY	48	0	0	0	-	192	4
Stillwater	0859	RAPELJE HIGH SCHOOL	25	0	0	0	-	103	4
Stillwater	0850	REEDPOINT ELEMENTARY	63	3,753	3,694	7,447	118	3,629	58
Stillwater	0851	REEDPOINT HIGH SCHOOL	25	0	0	0	-	-	-
Sweet Grass	0865	BIG TIMBER ELEMENTARY	366	12,495	12,013	24,508	63	6,701	17
Sweet Grass	0872	GREYCLIFF ELEMENTARY	12	0	0	0	-	-	-
Sweet Grass	0875	MCLEOD ELEMENTARY	9	0	0	0	-	-	-
Sweet Grass	0868	MELVILLE ELEMENTARY	9	0	0	0	-	173	19
Sweet Grass	0882	SWEET GRASS COUNTY HIGH SCHOOL	213	5,355	5,148	10,503	49	2,552	12
Teton	0889	BYNUM ELEMENTARY	37	0	0	0	-	221	6
Teton	0883	CHOTEAU ELEMENTARY	305	21,744	20,038	41,782	137	12,416	41
Teton	0884	CHOTEAU HIGH SCHOOL	142	7,140	6,864	14,004	99	4,245	30
Teton	1235	DUTTON/BRADY K-12 SCHOOLS	194	7,735	7,436	15,171	78	10,967	57
Teton	0890	FAIRFIELD ELEMENTARY	182	3,867	3,718	7,585	40	1,785	9
Teton	0891	FAIRFIELD HIGH SCHOOL	162	4,165	4,004	8,169	50	2,178	13
Teton	0896	GOLDEN RIDGE ELEMENTARY	42	0	0	0	-	309	7
Teton	0900	GREENFIELD ELEMENTARY	57	0	0	0	-	-	-
Teton	0898	PENDROY ELEMENTARY	37	5,708	7,146	12,854	347	4,122	111
Teton	0894	POWER ELEMENTARY	91	0	0	0	-	263	3
Teton	0895	POWER HIGH SCHOOL	80	0	0	0	-	148	2
Toole	0915	GALATA ELEMENTARY	15	0	0	0	-	-	-
Toole	0910	SHELBY ELEMENTARY	404	12,495	12,013	24,508	61	7,316	18
Toole	0911	SHELBY HIGH SCHOOL	188	6,545	6,292	12,837	68	1,938	10
Toole	0903	SUNBURST K-12 SCHOOLS	241	16,611	15,319	31,930	132	9,843	41
Treasure	0923	HYSHAM K-12 SCHOOLS	140	5,652	5,434	11,086	79	3,840	27
Valley	0927	FRAZER ELEMENTARY	75	32,982	46,303	79,285	1,057	21,518	287
Valley	0928	FRAZER HIGH SCHOOL	41	9,239	12,503	21,742	530	5,689	138
Valley	0926	GLASGOW K-12 SCHOOLS	843	38,103	36,245	74,348	88	19,451	23
Valley	0932	HINSDALE ELEMENTARY	61	14,920	21,137	36,057	591	8,853	145
Valley	0933	HINSDALE HIGH SCHOOL	34	0	0	0	-	-	-
Valley	0941	LUSTRE ELEMENTARY	44	0	0	0	-	-	-
Valley	0937	NASHUA K-12 SCHOOLS	141	2,975	2,860	5,835	41	-	-
Valley	0935	OPHEIM K-12 SCHOOLS	83	4,161	3,811	7,972	127	2,565	41
Wheatland	0945	HARLOWTON ELEMENTARY	238	8,330	8,008	16,338	69	4,534	19
Wheatland	0946	HARLOWTON HIGH SCHOOL	106	16,103	17,026	33,129	313	5,947	66
Wheatland	0948	JUDITH GAP ELEMENTARY	43	18,400	24,279	42,679	993	9,616	224
Wheatland	0949	JUDITH GAP HIGH SCHOOL	24	6,698	7,791	14,489	604	359	15
Wheatland	0947	SHAWMUT ELEMENTARY	7	0	0	0	-	-	-
Wibaux	0964	WIBAUX K-12 SCHOOLS	156	6,355	5,148	10,503	67	4,984	32
Yellowstone	0965	BILLINGS ELEMENTARY	10,271	750,006	721,078	1,471,084	143	389,078	38
Yellowstone	0966	BILLINGS HIGH SCHOOL	5,852	349,289	335,797	685,086	121	56,683	10
Yellowstone	0968	BLUE CREEK ELEMENTARY	228	3,570	3,432	7,002	31	4,702	21
Yellowstone	0978	BROADVIEW ELEMENTARY	129	0	0	0	-	-	-
Yellowstone	0979	BROADVIEW HIGH SCHOOL	59	0	0	0	-	-	-
Yellowstone	0969	CANYON CREEK ELEMENTARY	198	9,520	9,152	18,672	94	5,098	26
Yellowstone	0975	CUSTER K-12 SCHOOLS	90	0	0	0	-	-	-
Yellowstone	0972	ELDER GROVE ELEMENTARY	370	8,330	8,008	16,338	44	2,965	8
Yellowstone	0981	ELYSIAN ELEMENTARY	125	5,774	5,374	11,148	89	-	-
Yellowstone	0983	HUNTLEY PROJECT K-12 SCHOOLS	769	33,915	32,607	66,522	87	21,423	28
Yellowstone	0989	INDEPENDENT ELEMENTARY	279	7,735	7,436	15,171	54	3,912	14
Yellowstone	0970	LAUREL ELEMENTARY	1,335	47,898	46,050	93,948	70	27,487	21
Yellowstone	0971	LAUREL HIGH SCHOOL	626	21,122	20,308	41,430	66	12,996	21
Yellowstone	0967	LOCKWOOD ELEMENTARY	1,200	52,658	50,627	103,285	86	17,084	14
Yellowstone	0976	MORIN ELEMENTARY	30	3,397	3,226	6,623	221	-	-
Yellowstone	0987	PIONEER ELEMENTARY	63	3,272	3,146	6,418	102	2,011	32
Yellowstone	0985	SHEPHERD ELEMENTARY	591	36,032	33,201	69,233	117	20,297	34
Yellowstone	0986	SHEPHERD HIGH SCHOOL	284	8,925	8,580	17,505	62	3,556	13

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Legislative Fiscal Division

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		Statewide	149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Yellowstone	1196	YELLOWSTONE ACADEMY ELEMENTARY	82	72,872	102,739	175,611	2,142	30,151	368
#N/A	0073	EDGAR ELEMENTARY	-	0	0	0	-	-	-
#N/A	0200	FLAXVILLE K-12 SCHOOLS	-	0	0	0	-	-	-
#N/A	0083	JOHNSTON ELEMENTARY	-	0	0	0	-	-	-
#N/A	0036	LLOYD ELEMENTARY	-	0	0	0	-	-	-
		Undistributed	-	0	0	0	-	-	-
		PART D SUBPART 2	-	46,257	42,618	88,875	-	-	-
		STATEWIDE TOTALS		10,283,824	10,283,799	20,567,623			

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		Statewide	149,752	10,283,824	10,283,799	20,567,623	137	5,000,000
Lewis & Clark	0495	WOLF CREEK ELEMENTARY	13	0	0	0	-	3,034
Missoula	0596	SWAN VALLEY ELEMENTARY	46	0	0	0	-	1,537
Sweet Grass	0868	MELVILLE ELEMENTARY	9	0	0	0	-	173
Beaverhead	0003	GRANT ELEMENTARY	14	0	0	0	-	258
Lincoln	0530	MCCORMICK ELEMENTARY	16	0	0	0	-	265
Hill	0426	BOX ELDER HIGH SCHOOL	97	0	0	0	-	1,395
Phillips	0648	DODSON HIGH SCHOOL	24	0	0	0	-	282
Powell	0718	GARRISON ELEMENTARY	14	0	0	0	-	165
Powell	0715	OVANDO ELEMENTARY	19	0	0	0	-	219
Garfield	0385	PINE GROVE ELEMENTARY	9	0	0	0	-	103
Dawson	0215	BLOOMFIELD ELEMENTARY	15	0	0	0	-	165
Madison	0536	ALDER ELEMENTARY	21	0	0	0	-	221
Sanders	0808	PARADISE ELEMENTARY	32	0	0	0	-	312
Carbon	0056	RED LODGE ELEMENTARY	315	0	0	0	-	3,008
Richland	0769	LAMBERT HIGH SCHOOL	34	0	0	0	-	311
Fergus	0269	GRASS RANGE HIGH SCHOOL	35	0	0	0	-	265
Teton	0896	GOLDEN RIDGE ELEMENTARY	42	0	0	0	-	309
Jefferson	0457	JEFFERSON HIGH SCHOOL	261	0	0	0	-	1,900
Teton	0889	BYNUM ELEMENTARY	37	0	0	0	-	221
Lewis & Clark	0503	AUGUSTA HIGH SCHOOL	41	0	0	0	-	221
Dawson	0227	RICHEY ELEMENTARY	49	0	0	0	-	226
Stillwater	0859	RAPELJE HIGH SCHOOL	25	0	0	0	-	103
Fergus	0273	MOORE ELEMENTARY	60	0	0	0	-	242
Stillwater	0858	RAPELJE ELEMENTARY	48	0	0	0	-	192
Carter	0097	CARTER COUNTY HIGH SCHOOL	63	0	0	0	-	233
Fergus	0282	DENTON HIGH SCHOOL	48	0	0	0	-	162
Custer	0187	KINSEY ELEMENTARY	76	0	0	0	-	221
Teton	0894	POWER ELEMENTARY	91	0	0	0	-	263
Teton	0895	POWER HIGH SCHOOL	60	0	0	0	-	148
Beaverhead	0014	JACKSON ELEMENTARY	15	0	0	0	-	-
Beaverhead	0012	POLARIS ELEMENTARY	-	0	0	0	-	-
Beaverhead	0015	REICHLE ELEMENTARY	21	0	0	0	-	-
Beaverhead	0010	WISDOM ELEMENTARY	18	0	0	0	-	-
Beaverhead	0007	WISE RIVER ELEMENTARY	21	0	0	0	-	-
Big Horn	0020	SPRING CREEK ELEMENTARY	8	0	0	0	-	-
Blaine	0048	BEAR PAW ELEMENTARY	9	0	0	0	-	-
Blaine	0032	CLEVELAND ELEMENTARY	8	0	0	0	-	-
Blaine	1216	NORTH HARLEM COLONY ELEMENTARY	9	0	0	0	-	-
Blaine	0045	TURNER HIGH SCHOOL	42	0	0	0	-	-
Carbon	1231	LUTHER ELEMENTARY	44	0	0	0	-	-
Carter	0096	ALZADA ELEMENTARY	3	0	0	0	-	-
Carter	0078	HAWKS HOME ELEMENTARY	13	0	0	0	-	-
Cascade	1195	DEEP CREEK ELEMENTARY	5	0	0	0	-	-
Chouteau	0171	BENTON LAKE ELEMENTARY	9	0	0	0	-	-
Chouteau	0159	CARTER ELEMENTARY	7	0	0	0	-	-
Chouteau	0154	GERALDINE HIGH SCHOOL	43	0	0	0	-	-
Chouteau	0146	HIGHWOOD HIGH SCHOOL	46	0	0	0	-	-
Chouteau	0161	KNEES ELEMENTARY	18	0	0	0	-	-
Chouteau	0144	WARRICK ELEMENTARY	6	0	0	0	-	-
Custer	0182	COTTONWOOD ELEMENTARY	6	0	0	0	-	-
Custer	0173	KIRCHER ELEMENTARY	40	0	0	0	-	-
Custer	1238	S H ELEMENTARY	7	0	0	0	-	-
Custer	0179	SPRING CREEK ELEMENTARY	5	0	0	0	-	-
Custer	0177	TRAIL CREEK ELEMENTARY	4	0	0	0	-	-
Custer	1232	TWIN BUTTES ELEMENTARY	-	0	0	0	-	-
Daniels	0196	PEERLESS K-12 SCHOOLS	33	0	0	0	-	-
Dawson	0228	RICHEY HIGH SCHOOL	26	0	0	0	-	-
Fergus	1218	AYERS ELEMENTARY	16	0	0	0	-	-
Fergus	0264	DEERFIELD ELEMENTARY	7	0	0	0	-	-
Fergus	0272	KING COLONY ELEMENTARY	14	0	0	0	-	-
Fergus	0274	MOORE HIGH SCHOOL	47	0	0	0	-	-
Fergus	0288	SPRING CREEK COLONY ELEMENTARY	10	0	0	0	-	-
Flathead	0325	PLEASANT VALLEY ELEMENTARY	6	0	0	0	-	-
Flathead	1223	WEST GLACIER ELEMENTARY	30	0	0	0	-	-
Gallatin	0359	COTTONWOOD ELEMENTARY	15	0	0	0	-	-
Gallatin	0367	LAMOTTE ELEMENTARY	72	0	0	0	-	-
Gallatin	0370	MALMBORG ELEMENTARY	17	0	0	0	-	-
Gallatin	1239	OPHIR ELEMENTARY	180	0	0	0	-	-
Gallatin	0362	PASS CREEK ELEMENTARY	14	0	0	0	-	-
Gallatin	0357	SPRINGHILL ELEMENTARY	10	0	0	0	-	-
Gallatin	0361	THREE FORKS HIGH SCHOOL	197	0	0	0	-	-
Gallatin	0355	WILLOW CREEK HIGH SCHOOL	23	0	0	0	-	-

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FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 111 06/17/08)

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CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment
		Statewide	149,752	10,283,824	10,283,789	20,567,623	137	5,000,000
Garfield	0380	BIG DRY CREEK ELEMENTARY	5	0	0	0	-	-
Garfield	0387	COHAGEN ELEMENTARY	6	0	0	0	-	-
Garfield	0386	KESTER ELEMENTARY	3	0	0	0	-	-
Garfield	0394	ROSS ELEMENTARY	7	0	0	0	-	-
Garfield	0392	SAND SPRINGS ELEMENTARY	6	0	0	0	-	-
Garfield	0382	VAN NORMAN ELEMENTARY	-	0	0	0	-	-
Glacier	1222	MOUNTAIN VIEW ELEMENTARY	31	0	0	0	-	-
Granite	0418	HALL ELEMENTARY	25	0	0	0	-	-
Hill	0424	DAVEY ELEMENTARY	19	0	0	0	-	-
Hill	1217	GILDFORD COLONY ELEMENTARY	11	0	0	0	-	-
Jefferson	0458	CARDWELL ELEMENTARY	52	0	0	0	-	-
Jefferson	0452	CLANCY ELEMENTARY	304	0	0	0	-	-
Judith Basin	0473	GEYSER HIGH SCHOOL	42	0	0	0	-	-
Judith Basin	0471	RAYNESFORD ELEMENTARY	-	0	0	0	-	-
Lake	0486	SWAN LAKE-SALMON ELEMENTARY	5	0	0	0	-	-
Lake	1211	UPPER WEST SHORE ELEMENTARY	43	0	0	0	-	-
Lewis & Clark	0498	AUCHARD CREEK ELEMENTARY	25	0	0	0	-	-
Lewis & Clark	0497	CRAIG ELEMENTARY	-	13,986	21,297	35,283	-	-
Liberty	1224	LIBERTY ELEMENTARY	22	0	0	0	-	-
Liberty	0506	WHITLASH ELEMENTARY	4	0	0	0	-	-
Lincoln	0529	FORTUNE ELEMENTARY	81	0	0	0	-	-
Lincoln	0532	SYLVANITE ELEMENTARY	-	0	0	0	-	-
Lincoln	0534	TREGO ELEMENTARY	52	0	0	0	-	-
Lincoln	0533	YAAK ELEMENTARY	6	0	0	0	-	-
McCone	0566	VIDA ELEMENTARY	21	0	0	0	-	-
Meagher	0568	LENNEP ELEMENTARY	4	0	0	0	-	-
Missoula	0594	SUNSET ELEMENTARY	9	0	0	0	-	-
Missoula	0591	WOODMAN ELEMENTARY	36	0	0	0	-	-
Musselshell	0608	MELSTONE HIGH SCHOOL	22	0	0	0	-	-
Park	0617	COOKE CITY ELEMENTARY	4	0	0	0	-	-
Park	0614	GARDINER ELEMENTARY	161	0	0	0	-	-
Park	0620	PINE CREEK ELEMENTARY	29	0	0	0	-	-
Park	0635	SPRINGDALE ELEMENTARY	8	0	0	0	-	-
Phillips	0653	LANDUSKY ELEMENTARY	-	0	0	0	-	-
Phillips	0657	SACO HIGH SCHOOL	32	0	0	0	-	-
Pondera	0684	MIAMI ELEMENTARY	12	0	0	0	-	-
Powder River	0692	BENZIE ELEMENTARY	9	0	0	0	-	-
Powder River	0692	BIDDLE ELEMENTARY	9	0	0	0	-	-
Powder River	0709	SOUTH STACEY ELEMENTARY	7	0	0	0	-	-
Powell	0721	GOLD CREEK ELEMENTARY	6	0	0	0	-	-
Powell	0717	HELMVILLE ELEMENTARY	30	0	0	0	-	-
Richland	0749	BRORSON ELEMENTARY	7	0	0	0	-	-
Richland	0754	RAU ELEMENTARY	81	0	0	0	-	-
Richland	0748	SAVAGE HIGH SCHOOL	48	0	0	0	-	-
Roosevelt	0777	CULBERTSON ELEMENTARY	176	0	0	0	-	-
Roosevelt	0787	FROID HIGH SCHOOL	25	0	0	0	-	-
Rosebud	0789	BIRNEY ELEMENTARY	7	0	0	0	-	-
Rosebud	0795	ROSEBUD HIGH SCHOOL	37	0	0	0	-	-
Sanders	0813	CAMAS PRAIRIE ELEMENTARY	-	0	0	0	-	-
Silver Bow	0843	DIVIDE ELEMENTARY	12	0	0	0	-	-
Silver Bow	0844	MELROSE ELEMENTARY	16	0	0	0	-	-
Stillwater	0862	ABSAROEKEE HIGH SCHOOL	114	0	0	0	-	-
Stillwater	0853	FISHTAIL ELEMENTARY	12	0	0	0	-	-
Stillwater	0852	MOLT ELEMENTARY	5	0	0	0	-	-
Stillwater	0857	NYE ELEMENTARY	7	0	0	0	-	-
Stillwater	0847	PARK CITY HIGH SCHOOL	101	0	0	0	-	-
Stillwater	0851	REEDPOINT HIGH SCHOOL	25	0	0	0	-	-
Sweet Grass	0872	GREYCLIFF ELEMENTARY	12	0	0	0	-	-
Sweet Grass	0875	MCLEOD ELEMENTARY	9	0	0	0	-	-
Teton	0900	GREENFIELD ELEMENTARY	57	0	0	0	-	-
Toole	0915	GALATA ELEMENTARY	15	0	0	0	-	-
Valley	0933	HINSDALE HIGH SCHOOL	34	0	0	0	-	-
Valley	0941	LUSTRE ELEMENTARY	44	0	0	0	-	-
Wheatland	0947	SHAWMUT ELEMENTARY	7	0	0	0	-	-
Yellowstone	0978	BROADVIEW ELEMENTARY	129	0	0	0	-	-
Yellowstone	0979	BROADVIEW HIGH SCHOOL	59	0	0	0	-	-
Yellowstone	0975	CUSTER K-12 SCHOOLS	90	0	0	0	-	-

EXHIBIT.

DATE

HB

1

Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

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CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Beaverhead	0006	BEAVERHEAD COUNTY HIGH SCHOOL	391	21,420	20,594	42,014	107	12,019	31
Beaverhead	0005	DILLON ELEMENTARY	693	44,382	41,795	86,177	124	22,974	33
Beaverhead	0003	GRANT ELEMENTARY	14	0	0	0	-	258	18
Beaverhead	0014	JACKSON ELEMENTARY	15	0	0	0	-	-	-
Beaverhead	0009	LIMA K-12 SCHOOLS	96	12,415	12,312	24,727	258	6,919	72
Beaverhead	0012	POLARIS ELEMENTARY	-	0	0	0	-	-	-
Beaverhead	0015	REICHLER ELEMENTARY	21	0	0	0	-	-	-
Beaverhead	0010	WISDOM ELEMENTARY	18	0	0	0	-	-	-
Beaverhead	0007	WISE RIVER ELEMENTARY	21	0	0	0	-	-	-
Big Horn	0023	HARDIN ELEMENTARY	1,225	266,609	284,701	551,310	450	91,446	75
Big Horn	1189	HARDIN HIGH SCHOOL	499	61,689	60,307	121,996	244	22,905	46
Big Horn	0025	LODGE GRASS ELEMENTARY	243	78,274	88,791	167,065	688	35,505	146
Big Horn	1190	LODGE GRASS HIGH SCHOOL	158	31,973	34,822	66,795	423	13,622	86
Big Horn	1214	PLENTY COUPS HIGH SCHOOL	74	10,102	10,703	20,805	281	4,060	55
Big Horn	0021	PRYOR ELEMENTARY	52	30,050	33,701	63,751	1,226	16,795	323
Big Horn	0020	SPRING CREEK ELEMENTARY	8	0	0	0	-	-	-
Big Horn	0026	WYOLA ELEMENTARY	75	18,183	21,100	39,283	524	7,265	97
Blaine	0048	BEAR PAW ELEMENTARY	6	0	0	0	-	-	-
Blaine	0028	CHINOOK ELEMENTARY	241	30,405	30,431	60,836	252	11,357	47
Blaine	0029	CHINOOK HIGH SCHOOL	128	11,098	10,164	21,262	166	4,458	35
Blaine	0032	CLEVELAND ELEMENTARY	9	0	0	0	-	-	-
Blaine	0030	HARLEM ELEMENTARY	399	52,850	52,443	105,293	264	21,437	54
Blaine	0031	HARLEM HIGH SCHOOL	186	17,277	16,593	33,870	182	6,690	36
Blaine	1213	HAYS-LODGE POLE K-12 SCHOOLS	238	93,310	108,259	201,569	847	37,978	160
Blaine	1216	NORTH HARLEM COLONY ELEMENTARY	9	0	0	0	-	-	-
Blaine	0044	TURNER ELEMENTARY	58	6,951	7,014	13,965	241	2,913	50
Blaine	0045	TURNER HIGH SCHOOL	42	0	0	0	-	-	-
Blaine	0034	ZURICH ELEMENTARY	44	7,329	9,465	16,794	382	4,483	102
Broadwater	0055	TOWNSEND K-12 SCHOOLS	731	35,607	33,787	69,394	95	18,967	28
Carbon	0076	BELFRY K-12 SCHOOLS	84	3,867	3,718	7,585	90	1,976	24
Carbon	0059	BRIDGER K-12 SCHOOLS	199	11,928	11,173	23,101	116	8,236	41
Carbon	0071	FROMBERG ELEMENTARY	118	7,802	7,289	15,091	128	5,593	47
Carbon	0072	FROMBERG HIGH SCHOOL	40	3,779	3,566	7,345	150	2,658	54
Carbon	0060	JOLIET ELEMENTARY	278	7,140	6,864	14,004	50	4,926	18
Carbon	0061	JOLIET HIGH SCHOOL	140	3,570	3,432	7,002	50	1,701	12
Carbon	1231	LUTHER ELEMENTARY	44	0	0	0	-	-	-
Carbon	0056	RED LODGE ELEMENTARY	315	0	0	0	-	3,008	10
Carbon	0057	RED LODGE HIGH SCHOOL	199	5,950	5,720	11,670	59	3,122	16
Carbon	0069	ROBERTS K-12 SCHOOLS	148	3,272	3,146	6,418	43	-	-
Carter	0096	ALZADA ELEMENTARY	3	0	0	0	-	-	-
Carter	0097	CARTER COUNTY HIGH SCHOOL	63	0	0	0	-	233	4
Carter	0087	EKALAKA ELEMENTARY	82	6,575	7,034	13,609	166	5,391	66
Carter	0078	HAWKS HOME ELEMENTARY	13	0	0	0	-	-	-
Cascade	0112	BELT ELEMENTARY	219	8,925	8,580	17,505	80	5,363	24
Cascade	0113	BELT HIGH SCHOOL	124	3,570	3,432	7,002	56	2,346	19
Cascade	0101	CASCADE ELEMENTARY	231	9,520	9,152	18,672	81	6,765	29
Cascade	0102	CASCADE HIGH SCHOOL	157	5,355	5,148	10,503	67	3,115	20
Cascade	0104	CENTERVILLE ELEMENTARY	170	18,757	19,032	37,789	222	11,606	68
Cascade	0105	CENTERVILLE HIGH SCHOOL	92	2,975	2,860	5,835	63	2,314	25
Cascade	1195	DEEP CREEK ELEMENTARY	5	0	0	0	-	-	-
Cascade	0098	GREAT FALLS ELEMENTARY	7,280	525,540	505,270	1,030,810	142	322,844	44
Cascade	0099	GREAT FALLS HIGH SCHOOL	3,623	164,953	158,261	323,214	89	49,611	14
Cascade	0118	SIMMS HIGH SCHOOL	123	5,057	4,862	9,919	81	3,658	30
Cascade	1225	SUN RIVER VALLEY ELEMENTARY	218	12,792	12,299	25,091	115	8,957	41
Cascade	0131	ULM ELEMENTARY	95	5,652	5,434	11,086	117	3,984	42
Cascade	0127	VAUGHN ELEMENTARY	84	4,165	4,004	8,169	97	2,650	32
Chouteau	0171	BENTON LAKE ELEMENTARY	9	0	0	0	-	-	-
Chouteau	0137	BIG SANDY ELEMENTARY	102	7,905	7,450	15,355	151	3,827	38
Chouteau	0138	BIG SANDY HIGH SCHOOL	70	6,137	5,745	11,882	170	2,923	42
Chouteau	0159	CARTER ELEMENTARY	7	0	0	0	-	-	-
Chouteau	0133	FORT BENTON ELEMENTARY	184	7,140	6,864	14,004	76	4,052	22

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Legislative Fiscal Division

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Statewide			140,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Chouteau	0134	FORT BENTON HIGH SCHOOL	124	6,247	6,006	12,253	99	2,733	22
Chouteau	0153	GERALDINE ELEMENTARY	59	3,570	3,432	7,002	119	-	-
Chouteau	0154	GERALDINE HIGH SCHOOL	43	0	0	0	-	-	-
Chouteau	0145	HIGHWOOD ELEMENTARY	84	5,618	5,126	10,744	168	2,774	43
Chouteau	0146	HIGHWOOD HIGH SCHOOL	45	0	0	0	-	-	-
Chouteau	0161	KNEES ELEMENTARY	18	0	0	0	-	-	-
Chouteau	0144	WARRICK ELEMENTARY	6	0	0	0	-	-	-
Custer	0182	COTTONWOOD ELEMENTARY	6	0	0	0	-	-	-
Custer	0192	CUSTER COUNTY HIGH SCHOOL	637	29,364	28,164	57,528	90	11,229	18
Custer	0187	KINSEY ELEMENTARY	76	0	0	0	-	221	3
Custer	0173	KIRCHER ELEMENTARY	40	0	0	0	-	-	-
Custer	0172	MILES CITY ELEMENTARY	1,069	60,782	57,359	118,141	111	36,684	34
Custer	1238	S H ELEMENTARY	7	0	0	0	-	-	-
Custer	0179	SPRING CREEK ELEMENTARY	5	0	0	0	-	-	-
Custer	0177	TRAIL CREEK ELEMENTARY	4	0	0	0	-	-	-
Custer	1232	TWIN BUTTES ELEMENTARY	-	0	0	0	-	-	-
Daniels	0196	PEERLESS K-12 SCHOOLS	33	0	0	0	-	-	-
Daniels	0194	SCOBEY K-12 SCHOOLS	252	10,817	10,270	21,087	84	6,563	26
Dawson	0215	BLOOMFIELD ELEMENTARY	15	0	0	0	-	165	11
Dawson	0207	DAWSON HIGH SCHOOL	426	14,875	14,301	29,176	68	9,435	22
Dawson	1193	DEER CREEK ELEMENTARY	18	5,950	5,720	11,670	648	2,849	158
Dawson	0206	GLENDIVE ELEMENTARY	605	26,477	25,456	51,933	65	15,530	19
Dawson	0216	LINDSAY ELEMENTARY	12	4,481	4,284	8,765	730	584	49
Dawson	0227	RICHEY ELEMENTARY	49	0	0	0	-	226	5
Dawson	0228	RICHEY HIGH SCHOOL	26	0	0	0	-	-	-
Deer Lodge	0236	ANACONDA ELEMENTARY	833	75,114	68,332	143,446	172	35,175	42
Deer Lodge	0237	ANACONDA HIGH SCHOOL	464	26,009	24,012	50,021	108	11,641	25
Fallon	0244	BAKER K-12 SCHOOLS	397	11,305	10,869	22,174	56	7,595	19
Fallon	0256	PLEVNA K-12 SCHOOLS	88	2,975	2,860	5,835	66	371	4
Fergus	1218	AYERS ELEMENTARY	16	0	0	0	-	-	-
Fergus	0264	DEERFIELD ELEMENTARY	7	0	0	0	-	-	-
Fergus	0281	DENTON ELEMENTARY	78	3,570	3,432	7,002	90	2,187	28
Fergus	0282	DENTON HIGH SCHOOL	48	0	0	0	-	162	3
Fergus	0259	FERGUS HIGH SCHOOL	447	18,147	17,447	35,594	80	8,084	18
Fergus	0268	GRASS RANGE ELEMENTARY	45	4,092	3,767	7,859	175	2,475	55
Fergus	0269	GRASS RANGE HIGH SCHOOL	35	0	0	0	-	265	8
Fergus	0272	KING COLONY ELEMENTARY	14	0	0	0	-	-	-
Fergus	0258	LEWISTOWN ELEMENTARY	892	49,063	46,225	95,288	107	30,819	35
Fergus	0273	MOORE ELEMENTARY	60	0	0	0	-	242	4
Fergus	0274	MOORE HIGH SCHOOL	47	0	0	0	-	-	-
Fergus	0280	ROY K-12 SCHOOLS	71	3,272	3,146	6,418	90	1,676	24
Fergus	0288	SPRING CREEK COLONY ELEMENTARY	10	0	0	0	-	-	-
Fergus	0291	WINIFRED K-12 SCHOOLS	99	9,369	9,633	19,002	192	6,046	61
Flathead	0330	BIGFORK ELEMENTARY	608	24,395	23,454	47,849	94	14,910	29
Flathead	0331	BIGFORK HIGH SCHOOL	370	14,875	14,301	29,176	79	8,191	22
Flathead	0317	CAYUSE PRAIRIE ELEMENTARY	190	8,925	8,580	17,505	92	4,445	23
Flathead	0312	COLUMBIA FALLS ELEMENTARY	1,659	126,584	116,316	242,900	146	72,707	44
Flathead	0313	COLUMBIA FALLS HIGH SCHOOL	890	49,727	46,269	95,996	108	29,598	33
Flathead	0316	CRESTON ELEMENTARY	79	4,165	4,004	8,169	103	2,245	28
Flathead	0307	DEER PARK ELEMENTARY	108	2,975	2,860	5,835	54	2,393	22
Flathead	0339	EVERGREEN ELEMENTARY	810	47,891	44,330	92,221	114	23,980	30
Flathead	0308	FAIR-MONT-EGAN ELEMENTARY	178	3,867	3,718	7,585	43	2,923	16
Flathead	0311	FLATHEAD HIGH SCHOOL	2,611	115,098	110,575	225,673	86	40,392	15
Flathead	0320	HELENA FLATS ELEMENTARY	237	7,437	7,150	14,587	62	2,948	12
Flathead	0310	KALISPELL ELEMENTARY	2,785	102,638	98,679	201,317	72	40,953	15
Flathead	0323	KILA ELEMENTARY	170	15,572	14,176	29,748	175	8,989	53
Flathead	0341	MARION ELEMENTARY	127	4,760	4,576	9,336	74	3,097	24
Flathead	0342	OLNEY-BISSELL ELEMENTARY	84	6,969	6,564	13,533	161	4,224	50
Flathead	0325	PLEASANT VALLEY ELEMENTARY	6	0	0	0	-	-	-
Flathead	0324	SMITH VALLEY ELEMENTARY	216	13,316	12,348	25,664	119	7,871	36
Flathead	0327	SOMERS ELEMENTARY	687	27,492	26,392	53,884	92	17,233	29

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Legislative Fiscal Division

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Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Flathead	0309	SWAN RIVER ELEMENTARY	168	11,651	10,900	22,551	134	7,014	42
Flathead	1223	WEST GLACIER ELEMENTARY	30	0	0	0	-	-	-
Flathead	1184	WEST VALLEY ELEMENTARY	389	15,172	14,587	29,759	77	9,389	24
Flathead	0334	WHITEFISH ELEMENTARY	1,204	74,438	70,784	145,222	121	45,826	38
Flathead	0335	WHITEFISH HIGH SCHOOL	710	36,787	34,829	71,616	101	22,491	32
Gallatin	0376	AMSTERDAM ELEMENTARY	90	11,900	11,441	23,341	259	7,728	86
Gallatin	0366	ANDERSON ELEMENTARY	200	3,570	3,432	7,002	35	1,914	10
Gallatin	0368	BELGRADE ELEMENTARY	2,031	56,525	54,345	110,870	55	32,683	16
Gallatin	0369	BELGRADE HIGH SCHOOL	873	20,230	19,449	39,679	45	6,388	7
Gallatin	0350	BOZEMAN ELEMENTARY	3,626	135,066	129,857	264,923	73	78,271	22
Gallatin	0351	BOZEMAN HIGH SCHOOL	1,967	59,798	57,491	117,289	59	21,230	11
Gallatin	0359	COTTONWOOD ELEMENTARY	15	0	0	0	-	-	-
Gallatin	0364	GALLATIN GATEWAY ELEMENTARY	166	3,667	3,718	7,585	46	2,179	13
Gallatin	0367	LAMOTTE ELEMENTARY	72	0	0	0	-	-	-
Gallatin	0370	MALMBORG ELEMENTARY	17	0	0	0	-	-	-
Gallatin	0347	MANHATTAN ELEMENTARY	351	15,172	14,587	29,759	65	9,638	27
Gallatin	0348	MANHATTAN HIGH SCHOOL	229	9,222	8,866	18,088	79	4,999	22
Gallatin	0363	MONFORTON ELEMENTARY	181	7,437	7,150	14,587	81	4,358	24
Gallatin	1239	OPHIR ELEMENTARY	180	0	0	0	-	-	-
Gallatin	0362	PASS CREEK ELEMENTARY	14	0	0	0	-	-	-
Gallatin	0357	SPRINGHILL ELEMENTARY	10	0	0	0	-	-	-
Gallatin	0360	THREE FORKS ELEMENTARY	409	8,330	8,008	16,338	40	4,773	12
Gallatin	0361	THREE FORKS HIGH SCHOOL	197	0	0	0	-	-	-
Gallatin	0374	WEST YELLOWSTONE K-12	220	8,330	8,008	16,338	74	4,598	21
Gallatin	0354	WILLOW CREEK ELEMENTARY	38	2,975	2,860	5,835	154	1,949	51
Gallatin	0355	WILLOW CREEK HIGH SCHOOL	23	0	0	0	-	-	-
Garfield	0380	BIG DRY CREEK ELEMENTARY	5	0	0	0	-	-	-
Garfield	0387	COHAGEN ELEMENTARY	6	0	0	0	-	-	-
Garfield	0378	GARFIELD COUNTY HIGH SCHOOL	64	3,363	3,204	6,567	103	382	6
Garfield	0377	JORDAN ELEMENTARY	101	3,883	3,633	7,516	74	385	4
Garfield	0386	KESTER ELEMENTARY	3	0	0	0	-	-	-
Garfield	0385	PINE GROVE ELEMENTARY	9	0	0	0	-	103	11
Garfield	0394	ROSS ELEMENTARY	7	0	0	0	-	-	-
Garfield	0392	SAND SPRINGS ELEMENTARY	8	0	0	0	-	-	-
Garfield	0382	VAN NORMAN ELEMENTARY	-	0	0	0	-	-	-
Glacier	0400	BROWNING ELEMENTARY	1,313	326,227	372,022	698,249	532	150,450	115
Glacier	0401	BROWNING HIGH SCHOOL	611	74,680	73,243	147,923	242	33,002	54
Glacier	0402	CUT BANK ELEMENTARY	553	86,696	86,421	173,117	313	38,171	69
Glacier	0403	CUT BANK HIGH SCHOOL	273	22,171	20,207	42,378	155	9,941	36
Glacier	0404	EAST GLACIER PARK ELEMENTARY	38	9,790	9,544	19,334	509	4,051	107
Glacier	1222	MOUNTAIN VIEW ELEMENTARY	31	0	0	0	-	-	-
Golden Valley	0411	LAVINA K-12 SCHOOLS	94	13,167	14,835	28,002	298	3,827	41
Golden Valley	0407	RYEGATE K-12 SCHOOLS	105	7,788	7,171	14,939	142	3,753	36
Granite	0419	DRUMMOND ELEMENTARY	126	5,616	5,316	10,932	87	2,641	21
Granite	0420	DRUMMOND HIGH SCHOOL	98	4,228	3,933	8,161	83	221	2
Granite	0418	HALL ELEMENTARY	25	0	0	0	-	-	-
Granite	0416	PHILIPSBURG K-12 SCHOOLS	186	22,718	20,568	43,286	233	10,826	58
Hill	0425	BOX ELDER ELEMENTARY	316	4,682	4,240	8,922	28	13,061	41
Hill	0426	BOX ELDER HIGH SCHOOL	97	0	0	0	-	1,395	14
Hill	0445	COTTONWOOD ELEMENTARY	18	3,329	3,087	6,416	356	2,269	126
Hill	0424	DAVEY ELEMENTARY	19	0	0	0	-	-	-
Hill	1217	GILFORD COLONY ELEMENTARY	11	0	0	0	-	-	-
Hill	0427	HAVRE ELEMENTARY	1,320	96,960	89,796	186,756	141	57,304	43
Hill	0428	HAVRE HIGH SCHOOL	684	34,082	32,332	66,414	97	9,550	14
Hill	1233	NORTH STAR ELEMENTARY	110	4,462	4,290	8,752	80	1,983	18
Hill	1234	NORTH STAR HIGH SCHOOL	77	4,473	4,201	8,674	113	1,379	18
Hill	1207	ROCKY BOY ELEMENTARY	413	90,051	109,783	199,834	484	51,599	125
Hill	1229	ROCKY BOY HIGH SCHOOL	154	10,093	9,138	19,231	125	4,913	32
Jefferson	0455	BASIN ELEMENTARY	19	7,255	9,849	17,104	900	4,762	251
Jefferson	0456	BOULDER ELEMENTARY	198	21,053	19,024	40,077	202	10,222	52
Jefferson	0458	CARDWELL ELEMENTARY	52	0	0	0	-	-	-

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Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).
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CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Jefferson	0452	CLANCY ELEMENTARY	304	0	0	0	-	-	-
Jefferson	0457	JEFFERSON HIGH SCHOOL	261	0	0	0	-	1,900	7
Jefferson	0460	MONTANA CITY ELEMENTARY	425	7,437	7,150	14,587	34	3,294	8
Jefferson	0453	WHITEHALL ELEMENTARY	295	23,369	22,034	45,403	154	12,598	43
Jefferson	0454	WHITEHALL HIGH SCHOOL	217	7,735	7,436	15,171	70	4,116	19
Judith Basin	0472	GEYSER ELEMENTARY	56	4,972	4,791	9,763	174	4,023	72
Judith Basin	0473	GEYSER HIGH SCHOOL	42	0	0	0	-	-	-
Judith Basin	0469	HOBSON K-12 SCHOOLS	144	7,316	6,882	14,198	99	4,153	29
Judith Basin	0471	RAYNESFORD ELEMENTARY	-	0	0	0	-	-	-
Judith Basin	0464	STANFORD K-12 SCHOOLS	128	9,813	9,150	18,963	148	4,000	31
Lake	0474	ARLEE ELEMENTARY	305	38,027	36,066	74,093	243	22,045	72
Lake	0475	ARLEE HIGH SCHOOL	133	9,016	8,353	17,369	131	4,503	34
Lake	1205	CHARLO ELEMENTARY	242	23,078	22,360	45,438	188	12,042	50
Lake	1206	CHARLO HIGH SCHOOL	128	10,830	10,282	21,112	165	5,587	44
Lake	0477	POLSON ELEMENTARY	1,177	82,474	75,268	157,742	134	45,604	39
Lake	0478	POLSON HIGH SCHOOL	555	40,232	36,561	76,793	138	11,141	20
Lake	1199	RONAN ELEMENTARY	918	145,481	143,217	288,698	314	75,312	82
Lake	1200	RONAN HIGH SCHOOL	377	34,054	31,552	65,606	174	19,437	52
Lake	0481	ST IGNATIUS K-12 SCHOOLS	498	99,528	108,627	208,155	418	56,165	113
Lake	0486	SWAN LAKE-SALMON ELEMENTARY	5	0	0	0	-	-	-
Lake	1211	UPPER WEST SHORE ELEMENTARY	43	0	0	0	-	-	-
Lake	0483	VALLEY VIEW ELEMENTARY	19	9,291	12,844	22,135	1,165	5,211	274
Lewis & Clark	0498	AUCHARD CREEK ELEMENTARY	26	0	0	0	-	-	-
Lewis & Clark	0502	AUGUSTA ELEMENTARY	62	7,472	8,832	16,304	263	6,929	112
Lewis & Clark	0503	AUGUSTA HIGH SCHOOL	41	0	0	0	-	221	5
Lewis & Clark	0497	CRAIG ELEMENTARY	-	13,986	21,297	35,283	-	-	-
Lewis & Clark	0492	EAST HELENA ELEMENTARY	1,120	29,452	28,316	57,768	52	16,928	15
Lewis & Clark	0487	HELENA ELEMENTARY	5,181	226,549	217,811	444,360	86	140,305	27
Lewis & Clark	0488	HELENA HIGH SCHOOL	3,071	107,993	103,828	211,821	69	34,963	11
Lewis & Clark	1221	LINCOLN K-12 SCHOOLS	195	23,853	22,550	46,403	238	17,333	89
Lewis & Clark	0491	TRINITY ELEMENTARY	11	11,966	10,816	22,782	2,071	3,207	292
Lewis & Clark	0495	WOLF CREEK ELEMENTARY	13	0	0	0	-	3,034	233
Liberty	1236	CHESTER-JOPLIN-INVERNESS ELEMEN	183	8,520	9,152	18,672	102	6,138	34
Liberty	1237	CHESTER-JOPLIN-INVERNESS HIGH SC	87	5,355	5,148	10,503	121	4,145	48
Liberty	1224	LIBERTY ELEMENTARY	22	0	0	0	-	-	-
Liberty	0506	WHITLASH ELEMENTARY	4	0	0	0	-	-	-
Lincoln	0527	EUREKA ELEMENTARY	548	52,027	50,408	102,435	187	24,273	44
Lincoln	0529	FORTINE ELEMENTARY	81	0	0	0	-	-	-
Lincoln	0522	LIBBY K-12 SCHOOLS	1,402	169,374	160,664	330,038	235	76,603	55
Lincoln	0528	LINCOLN COUNTY HIGH SCHOOL	355	17,024	16,060	33,084	93	8,172	23
Lincoln	0530	MCCORMICK ELEMENTARY	16	0	0	0	-	265	17
Lincoln	0532	SYLVANITE ELEMENTARY	-	0	0	0	-	-	-
Lincoln	0534	TREGO ELEMENTARY	52	0	0	0	-	-	-
Lincoln	0519	TROY ELEMENTARY	299	49,781	51,461	101,242	339	23,199	78
Lincoln	0520	TROY HIGH SCHOOL	182	21,125	20,529	41,654	229	10,094	55
Lincoln	0533	YAAK ELEMENTARY	6	0	0	0	-	-	-
Madison	0536	ALDER ELEMENTARY	21	0	0	0	-	221	11
Madison	0546	ENNIS K-12 SCHOOLS	373	9,817	9,438	19,255	52	5,009	13
Madison	0543	HARRISON K-12 SCHOOLS	110	5,950	5,720	11,670	106	3,394	31
Madison	0537	SHERIDAN ELEMENTARY	148	15,842	15,662	31,504	213	9,248	62
Madison	0538	SHERIDAN HIGH SCHOOL	95	3,272	3,146	6,418	68	1,676	18
Madison	0540	TWIN BRIDGES K-12 SCHOOLS	286	11,826	11,362	23,288	81	5,806	20
McCone	0547	CIRCLE ELEMENTARY	170	7,140	6,864	14,004	82	5,697	34
McCone	0548	CIRCLE HIGH SCHOOL	89	3,867	3,718	7,585	85	2,691	30
McCone	0566	VIDA ELEMENTARY	21	0	0	0	-	-	-
Meagher	0568	LENNEP ELEMENTARY	4	0	0	0	-	-	-
Meagher	0569	WHITE SULPHUR SPRINGS ELEMENTAR	183	21,590	20,644	42,234	231	9,256	51
Meagher	0570	WHITE SULPHUR SPRINGS HIGH SCHO	87	7,144	6,486	13,630	157	3,304	38
Mineral	0577	ALBERTON K-12 SCHOOLS	195	22,741	21,891	44,632	229	7,632	39
Mineral	0582	ST REGIS K-12 SCHOOLS	180	23,706	23,769	47,475	264	11,466	64
Mineral	0579	SUPERIOR K-12 SCHOOLS	385	24,797	22,663	47,460	123	12,897	33

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Legislative Fiscal Division

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CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Missoula	0590	BONNER ELEMENTARY	387	10,412	10,011	20,423	53	5,726	15
Missoula	0595	CLINTON ELEMENTARY	232	18,692	17,224	35,916	155	11,675	50
Missoula	0592	DESMET ELEMENTARY	147	14,452	15,990	30,442	207	11,174	76
Missoula	0599	FRENCHTOWN K-12 SCHOOLS	1,288	26,477	25,456	51,933	40	2,333	2
Missoula	0586	HELLGATE ELEMENTARY	1,313	37,485	36,039	73,524	56	22,291	17
Missoula	0588	LOLO ELEMENTARY	607	14,875	14,301	29,176	48	9,643	16
Missoula	0583	MISSOULA ELEMENTARY	5,024	447,445	430,187	877,632	175	288,407	53
Missoula	0584	MISSOULA HIGH SCHOOL	3,973	210,013	198,488	408,501	103	73,632	19
Missoula	0589	POTOMAC ELEMENTARY	111	9,156	8,347	17,503	158	5,870	53
Missoula	0597	SEELEY LAKE ELEMENTARY	197	10,115	9,724	19,839	101	6,056	31
Missoula	0594	SUNSET ELEMENTARY	9	0	0	0	-	-	-
Missoula	0596	SWAN VALLEY ELEMENTARY	46	0	0	0	-	1,537	33
Missoula	0593	TARGET RANGE ELEMENTARY	480	10,115	9,724	19,839	43	2,500	5
Missoula	0591	WOODMAN ELEMENTARY	38	0	0	0	-	-	-
Musselshell	0607	MELSTONE ELEMENTARY	57	8,005	7,948	15,953	280	4,374	77
Musselshell	0608	MELSTONE HIGH SCHOOL	22	0	0	0	-	-	-
Musselshell	0606	ROUNDUP ELEMENTARY	395	47,036	46,480	93,516	237	19,913	50
Musselshell	0606	ROUNDUP HIGH SCHOOL	200	21,267	20,371	41,638	208	9,143	46
Park	1215	ARROWHEAD ELEMENTARY	137	12,101	11,379	23,480	171	7,622	56
Park	0617	COOKE CITY ELEMENTARY	4	0	0	0	-	-	-
Park	0614	GARDINER ELEMENTARY	161	0	0	0	-	-	-
Park	1191	GARDINER HIGH SCHOOL	104	3,190	2,998	6,188	60	2,000	19
Park	0612	LIVINGSTON ELEMENTARY	972	51,468	49,483	100,951	104	32,708	34
Park	0613	PARK HIGH SCHOOL	555	24,097	23,168	47,265	85	7,877	14
Park	0620	PINE CREEK ELEMENTARY	29	0	0	0	-	-	-
Park	1227	SHIELDS VALLEY ELEMENTARY	160	14,670	13,407	28,077	175	8,966	56
Park	1228	SHIELDS VALLEY HIGH SCHOOL	97	4,462	4,290	8,752	90	3,306	34
Park	0635	SPRINGDALE ELEMENTARY	8	0	0	0	-	-	-
Petroleum	0642	WINNETT K-12 SCHOOLS	102	5,201	4,932	10,133	99	3,594	35
Phillips	0647	DODSON ELEMENTARY	45	5,632	5,532	11,164	248	5,011	111
Phillips	0648	DODSON HIGH SCHOOL	24	0	0	0	-	282	12
Phillips	0653	LANDUSKY ELEMENTARY	-	0	0	0	-	-	-
Phillips	0659	MALTA K-12 SCHOOLS	612	32,423	30,125	62,548	102	17,037	28
Phillips	1203	SACO ELEMENTARY	49	6,699	7,549	14,248	291	4,351	89
Phillips	0657	SACO HIGH SCHOOL	32	0	0	0	-	-	-
Phillips	0663	WHITEWATER K-12 SCHOOLS	71	8,623	9,840	18,463	260	5,195	73
Pondera	0674	CONRAD ELEMENTARY	414	26,910	24,876	51,786	125	11,163	27
Pondera	0675	CONRAD HIGH SCHOOL	221	12,136	11,306	23,442	106	3,432	16
Pondera	0671	DUPUYER ELEMENTARY	15	15,553	19,550	35,103	2,340	1,247	83
Pondera	1226	HEART BUTTE K-12 SCHOOLS	165	47,154	53,603	100,757	607	19,203	116
Pondera	0684	MIAMI ELEMENTARY	12	0	0	0	-	-	-
Pondera	0679	VALIER ELEMENTARY	151	5,057	4,862	9,919	66	2,640	17
Pondera	0680	VALIER HIGH SCHOOL	78	10,954	10,988	21,942	281	4,270	55
Powder River	0692	BENZIE ELEMENTARY	9	0	0	0	-	-	-
Powder River	0692	BIDDLE ELEMENTARY	9	0	0	0	-	-	-
Powder River	0705	BROADUS ELEMENTARY	210	6,842	6,578	13,420	64	4,567	22
Powder River	0706	POWDER RIVER CO DIST HIGH SCHOOL	142	2,975	2,860	5,835	41	248	2
Powder River	0709	SOUTH STACEY ELEMENTARY	7	0	0	0	-	-	-
Powell	0720	AVON ELEMENTARY	42	4,972	5,942	10,914	260	3,416	81
Powell	0712	DEER LODGE ELEMENTARY	494	30,618	28,682	59,300	120	20,515	42
Powell	0719	ELLISTON ELEMENTARY	39	3,607	3,265	6,872	176	2,306	59
Powell	0718	GARRISON ELEMENTARY	14	0	0	0	-	165	12
Powell	0721	GOLD CREEK ELEMENTARY	6	0	0	0	-	-	-
Powell	0717	HELMVILLE ELEMENTARY	30	0	0	0	-	-	-
Powell	0715	OVANDO ELEMENTARY	19	0	0	0	-	219	12
Powell	0713	POWELL COUNTY HIGH SCHOOL	313	27,764	25,151	52,915	169	9,152	29
Prairie	0726	TERRY K-12 SCHOOLS	141	7,489	7,088	14,577	103	6,457	46
Ravalli	0731	CORVALLIS K-12 SCHOOLS	1,440	115,151	104,411	219,562	152	57,713	40
Ravalli	0740	DARBY K-12 SCHOOLS	457	59,448	53,930	113,378	248	29,906	65
Ravalli	0743	FLORENCE-CARLTON K-12 SCHOOLS	917	24,395	23,454	47,849	52	9,272	10
Ravalli	0735	HAMILTON K-12 SCHOOLS	1,557	119,828	109,316	229,144	138	60,589	37

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Legislative Fiscal Division

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Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Ravalli	0741	LONE ROCK ELEMENTARY	317	22,158	20,590	42,748	135	11,680	37
Ravalli	0732	STEVENSVILLE ELEMENTARY	639	34,807	33,465	68,272	107	19,208	30
Ravalli	0733	STEVENSVILLE HIGH SCHOOL	457	21,122	20,308	41,430	91	11,518	25
Ravalli	0738	VICTOR K-12 SCHOOLS	376	19,337	18,591	37,928	101	9,976	27
Richland	0749	BRORSON ELEMENTARY	7	0	0	0	-	-	-
Richland	0750	FAIRVIEW ELEMENTARY	156	7,801	7,383	15,184	97	5,917	38
Richland	0751	FAIRVIEW HIGH SCHOOL	113	2,975	2,860	5,835	52	227	2
Richland	0768	LAMBERT ELEMENTARY	51	8,312	10,989	19,301	378	5,768	113
Richland	0769	LAMBERT HIGH SCHOOL	34	0	0	0	-	311	9
Richland	0754	RAU ELEMENTARY	81	0	0	0	-	-	-
Richland	0747	SAVAGE ELEMENTARY	66	3,272	3,146	6,418	97	2,177	33
Richland	0748	SAVAGE HIGH SCHOOL	48	0	0	0	-	-	-
Richland	0745	SIDNEY ELEMENTARY	739	30,642	29,480	60,102	81	19,316	26
Richland	0746	SIDNEY HIGH SCHOOL	435	13,090	12,585	25,675	59	5,208	12
Roosevelt	0785	BAINVILLE K-12 SCHOOLS	104	7,766	7,793	15,559	150	3,253	31
Roosevelt	0782	BROCKTON ELEMENTARY	86	37,780	45,000	82,780	963	14,335	167
Roosevelt	0783	BROCKTON HIGH SCHOOL	58	9,473	10,540	20,013	345	4,055	70
Roosevelt	0777	CULBERTSON ELEMENTARY	176	0	0	0	-	-	-
Roosevelt	0778	CULBERTSON HIGH SCHOOL	99	4,647	4,218	8,865	90	754	8
Roosevelt	0786	FROID ELEMENTARY	53	6,854	6,700	13,554	256	2,138	40
Roosevelt	0787	FROID HIGH SCHOOL	25	0	0	0	-	-	-
Roosevelt	0774	FRONTIER ELEMENTARY	134	5,445	4,920	10,365	77	987	7
Roosevelt	0775	POPLAR ELEMENTARY	611	242,768	298,600	541,368	886	91,470	150
Roosevelt	0776	POPLAR HIGH SCHOOL	221	48,903	54,343	103,246	467	19,615	89
Roosevelt	0780	WOLF POINT ELEMENTARY	595	125,668	137,676	263,344	443	49,597	83
Roosevelt	0781	WOLF POINT HIGH SCHOOL	282	39,659	39,941	79,600	282	13,844	49
Rosebud	0800	ASHLAND ELEMENTARY	68	20,860	19,982	40,842	601	9,321	137
Rosebud	0789	BIRNEY ELEMENTARY	7	0	0	0	-	-	-
Rosebud	0796	COLSTRIP ELEMENTARY	423	24,759	23,020	47,779	113	15,168	36
Rosebud	0797	COLSTRIP HIGH SCHOOL	251	7,437	7,150	14,587	58	6,675	27
Rosebud	0790	FORSYTH ELEMENTARY	270	23,377	21,181	44,558	165	9,395	35
Rosebud	0791	FORSYTH HIGH SCHOOL	156	7,871	7,333	15,204	97	2,295	15
Rosebud	0792	LAME DEER ELEMENTARY	392	174,213	213,094	387,307	988	67,101	171
Rosebud	1230	LAME DEER HIGH SCHOOL	184	78,044	88,044	166,088	903	28,543	155
Rosebud	0794	ROSEBUD ELEMENTARY	65	4,552	4,205	8,757	135	634	10
Rosebud	0795	ROSEBUD HIGH SCHOOL	37	0	0	0	-	-	-
Sanders	0813	CAMAS PRAIRIE ELEMENTARY	-	0	0	0	-	-	-
Sanders	0809	DIXON ELEMENTARY	71	13,856	19,545	33,401	470	8,139	115
Sanders	0814	HOT SPRINGS ELEMENTARY	159	35,407	43,642	79,049	497	18,573	117
Sanders	0815	HOT SPRINGS HIGH SCHOOL	69	6,194	5,959	12,153	176	3,287	48
Sanders	0811	NOXON ELEMENTARY	127	10,959	9,980	20,939	165	5,206	41
Sanders	0812	NOXON HIGH SCHOOL	91	6,247	6,006	12,253	135	2,723	30
Sanders	0808	PARADISE ELEMENTARY	32	0	0	0	-	312	10
Sanders	0802	PLAINS ELEMENTARY	312	43,099	43,487	86,586	278	17,615	56
Sanders	0803	PLAINS HIGH SCHOOL	178	6,545	6,292	12,837	72	2,858	16
Sanders	0804	THOMPSON FALLS ELEMENTARY	341	22,681	20,830	43,511	128	11,301	33
Sanders	0805	THOMPSON FALLS HIGH SCHOOL	242	21,740	21,742	43,482	180	9,070	37
Sanders	0807	TROUT CREEK ELEMENTARY	63	22,022	24,365	46,387	736	10,505	167
Sheridan	0822	MEDICINE LAKE K-12 SCHOOLS	108	5,860	5,472	11,332	105	7,092	66
Sheridan	0828	PLENTYWOOD K-12 SCHOOLS	388	12,197	11,727	23,924	62	5,866	15
Sheridan	0819	WESTBY K-12 SCHOOLS	60	3,502	3,198	6,700	112	-	-
Silver Bow	0840	BUTTE ELEMENTARY	3,095	204,852	192,987	397,839	129	138,142	45
Silver Bow	1212	BUTTE HIGH SCHOOL	1,588	77,177	73,398	150,575	95	29,838	19
Silver Bow	0843	DIVIDE ELEMENTARY	12	0	0	0	-	-	-
Silver Bow	0844	MELROSE ELEMENTARY	16	0	0	0	-	-	-
Silver Bow	0842	RAMSAY ELEMENTARY	152	8,330	8,008	16,338	107	5,797	38
Stillwater	0861	ABSAROKEE ELEMENTARY	199	4,760	4,578	9,338	47	2,492	13
Stillwater	0862	ABSAROKEE HIGH SCHOOL	114	0	0	0	-	-	-
Stillwater	0848	COLUMBUS ELEMENTARY	446	14,280	13,729	28,009	63	8,696	19
Stillwater	0849	COLUMBUS HIGH SCHOOL	240	3,570	3,432	7,002	29	2,011	8
Stillwater	0853	FISHTAIL ELEMENTARY	12	0	0	0	-	-	-

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Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).
2) Some districts that receive Title I Basic and Concentration Grants do not receive funds from these two portions of the formula.

CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			148,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Stillwater	0852	MOLT ELEMENTARY	5	0	0	0	-	-	-
Stillwater	0857	NYE ELEMENTARY	7	0	0	0	-	-	-
Stillwater	0846	PARK CITY ELEMENTARY	243	7,735	7,436	15,171	62	4,792	20
Stillwater	0847	PARK CITY HIGH SCHOOL	101	0	0	0	-	-	-
Stillwater	0858	RAPELJE ELEMENTARY	48	0	0	0	-	192	4
Stillwater	0859	RAPELJE HIGH SCHOOL	25	0	0	0	-	103	4
Stillwater	0850	REEDPOINT ELEMENTARY	63	3,753	3,694	7,447	118	3,629	58
Stillwater	0851	REEDPOINT HIGH SCHOOL	25	0	0	0	-	-	-
Sweet Grass	0865	BIG TIMBER ELEMENTARY	389	12,495	12,013	24,508	63	6,701	17
Sweet Grass	0872	GREYCLIFF ELEMENTARY	12	0	0	0	-	-	-
Sweet Grass	0875	MCLEOD ELEMENTARY	9	0	0	0	-	-	-
Sweet Grass	0868	MELVILLE ELEMENTARY	9	0	0	0	-	173	19
Sweet Grass	0882	SWEET GRASS COUNTY HIGH SCHOOL	213	5,355	5,148	10,503	49	2,552	12
Teton	0889	BYNUM ELEMENTARY	37	0	0	0	-	221	6
Teton	0883	CHOTEAU ELEMENTARY	305	21,744	20,038	41,782	137	12,416	41
Teton	0884	CHOTEAU HIGH SCHOOL	142	7,140	6,864	14,004	99	4,245	30
Teton	1235	DUTTON/BRADY K-12 SCHOOLS	194	7,735	7,436	15,171	78	10,967	57
Teton	0890	FAIRFIELD ELEMENTARY	192	3,867	3,718	7,585	40	1,785	9
Teton	0891	FAIRFIELD HIGH SCHOOL	162	4,165	4,004	8,169	50	2,178	13
Teton	0896	GOLDEN RIDGE ELEMENTARY	42	0	0	0	-	309	7
Teton	0900	GREENFIELD ELEMENTARY	57	0	0	0	-	-	-
Teton	0898	PENDROY ELEMENTARY	37	5,708	7,146	12,854	347	4,122	111
Teton	0894	POWER ELEMENTARY	91	0	0	0	-	253	3
Teton	0895	POWER HIGH SCHOOL	60	0	0	0	-	148	2
Toole	0915	GALATA ELEMENTARY	15	0	0	0	-	-	-
Toole	0910	SHELBY ELEMENTARY	404	12,495	12,013	24,508	61	7,316	18
Toole	0911	SHELBY HIGH SCHOOL	189	6,545	6,292	12,837	68	1,938	10
Toole	0903	SUNBURST K-12 SCHOOLS	241	16,611	15,319	31,930	132	9,843	41
Treasure	0923	HYSHAM K-12 SCHOOLS	140	5,552	5,434	11,086	79	3,840	27
Valley	0927	FRAZER ELEMENTARY	75	32,982	48,303	79,285	1,057	21,518	287
Valley	0928	FRAZER HIGH SCHOOL	41	9,239	12,503	21,742	530	5,689	139
Valley	0926	GLASGOW K-12 SCHOOLS	843	38,103	36,245	74,348	88	19,451	23
Valley	0932	HINSDALE ELEMENTARY	61	14,920	21,137	36,057	591	8,863	145
Valley	0933	HINSDALE HIGH SCHOOL	34	0	0	0	-	-	-
Valley	0941	LUSTRE ELEMENTARY	44	0	0	0	-	-	-
Valley	0937	NASHUA K-12 SCHOOLS	141	2,975	2,860	5,835	41	-	-
Valley	0935	OPHEIM K-12 SCHOOLS	83	4,161	3,811	7,972	127	2,565	41
Wheatland	0945	HARLOWTON ELEMENTARY	238	8,330	8,008	16,338	69	4,534	19
Wheatland	0946	HARLOWTON HIGH SCHOOL	108	16,103	17,026	33,129	313	5,947	56
Wheatland	0948	JUDITH GAP ELEMENTARY	43	18,400	24,279	42,679	993	9,616	224
Wheatland	0949	JUDITH GAP HIGH SCHOOL	24	6,698	7,791	14,489	604	359	15
Wheatland	0947	SHAWMUT ELEMENTARY	7	0	0	0	-	-	-
Wibaux	0964	WIBAUX K-12 SCHOOLS	156	5,355	5,148	10,503	67	4,984	32
Yellowstone	0965	BILLINGS ELEMENTARY	10,271	750,006	721,078	1,471,084	143	389,078	38
Yellowstone	0966	BILLINGS HIGH SCHOOL	5,652	349,269	335,797	685,066	121	56,683	10
Yellowstone	0968	BLUE CREEK ELEMENTARY	228	3,570	3,432	7,002	31	4,702	21
Yellowstone	0978	BROADVIEW ELEMENTARY	129	0	0	0	-	-	-
Yellowstone	0979	BROADVIEW HIGH SCHOOL	59	0	0	0	-	-	-
Yellowstone	0969	CANYON CREEK ELEMENTARY	198	9,520	9,152	18,672	94	5,098	26
Yellowstone	0975	CUSTER K-12 SCHOOLS	90	0	0	0	-	-	-
Yellowstone	0972	ELDER GROVE ELEMENTARY	370	8,330	8,008	16,338	44	2,965	8
Yellowstone	0981	ELYSIAN ELEMENTARY	125	5,774	5,374	11,148	89	-	-
Yellowstone	0983	HUNTLEY PROJECT K-12 SCHOOLS	789	33,915	32,607	66,522	87	21,423	28
Yellowstone	0989	INDEPENDENT ELEMENTARY	279	7,735	7,436	15,171	54	3,912	14
Yellowstone	0970	LAUREL ELEMENTARY	1,335	47,898	46,050	93,948	70	27,487	21
Yellowstone	0971	LAUREL HIGH SCHOOL	626	21,122	20,308	41,430	66	12,996	21
Yellowstone	0967	LOCKWOOD ELEMENTARY	1,200	52,658	50,627	103,285	86	17,084	14
Yellowstone	0976	MORIN ELEMENTARY	30	3,397	3,226	6,623	221	-	-
Yellowstone	0987	PIONEER ELEMENTARY	63	3,272	3,146	6,418	102	2,011	32
Yellowstone	0985	SHEPHERD ELEMENTARY	591	36,032	33,201	69,233	117	20,297	34
Yellowstone	0986	SHEPHERD HIGH SCHOOL	284	8,925	8,580	17,505	62	3,556	13

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Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).
2) Some districts that receive Title I Basic and Concentration Grants do not receive funds from these two portions of the formula.

CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
Statewide			149,752	10,283,824	10,283,799	20,567,623	137	5,000,000	33
Yellowstone	1196	YELLOWSTONE ACADEMY ELEMENTARY	82	72,872	102,739	175,611	2,142	30,151	368
#N/A	0073	EDGAR ELEMENTARY	-	0	0	0	-	-	-
#N/A	0200	FLAXVILLE K-12 SCHOOLS	-	0	0	0	-	-	-
#N/A	0083	JOHNSTON ELEMENTARY	-	0	0	0	-	-	-
#N/A	0036	LLOYD ELEMENTARY	-	0	0	0	-	-	-
		Undistributed	-	0	0	0	-	-	-
		PART D SUBPART 2	-	46,257	42,618	88,875	-	-	-
STATEWIDE TOTALS				10,283,824	10,283,799	20,567,623			

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Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 11)
06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive G
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CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment
		Statewide	149,752	10,283,824	10,283,799	20,567,623	137	5,000,000
Lewis & Clark	0495	WOLF CREEK ELEMENTARY	13	0	0	0	-	3,034
Missoula	0596	SWAN VALLEY ELEMENTARY	46	0	0	0	-	1,537
Sweet Grass	0868	MELVILLE ELEMENTARY	9	0	0	0	-	173
Beaverhead	0003	GRANT ELEMENTARY	14	0	0	0	-	258
Lincoln	0530	MCCORMICK ELEMENTARY	16	0	0	0	-	265
Hill	0426	BOX ELDER HIGH SCHOOL	97	0	0	0	-	1,395
Phillips	0648	DODSON HIGH SCHOOL	24	0	0	0	-	282
Powell	0718	GARRISON ELEMENTARY	14	0	0	0	-	165
Powell	0715	OVANDO ELEMENTARY	19	0	0	0	-	219
Garfield	0385	PINE GROVE ELEMENTARY	9	0	0	0	-	103
Dawson	0215	BLOOMFIELD ELEMENTARY	15	0	0	0	-	165
Madison	0536	ALDER ELEMENTARY	21	0	0	0	-	221
Sanders	0808	PARADISE ELEMENTARY	32	0	0	0	-	312
Carbon	0056	RED LODGE ELEMENTARY	315	0	0	0	-	3,008
Richland	0769	LAMBERT HIGH SCHOOL	34	0	0	0	-	311
Fergus	0269	GRASS RANGE HIGH SCHOOL	35	0	0	0	-	265
Teton	0896	GOLDEN RIDGE ELEMENTARY	42	0	0	0	-	309
Jefferson	0457	JEFFERSON HIGH SCHOOL	261	0	0	0	-	1,900
Teton	0889	BYNUM ELEMENTARY	37	0	0	0	-	221
Lewis & Clark	0503	AUGUSTA HIGH SCHOOL	41	0	0	0	-	221
Dawson	0227	RICHEY ELEMENTARY	49	0	0	0	-	226
Stillwater	0859	RAPELJE HIGH SCHOOL	25	0	0	0	-	103
Fergus	0273	MOORE ELEMENTARY	60	0	0	0	-	242
Stillwater	0858	RAPELJE ELEMENTARY	48	0	0	0	-	192
Carter	0097	CARTER COUNTY HIGH SCHOOL	63	0	0	0	-	233
Fergus	0282	DENTON HIGH SCHOOL	48	0	0	0	-	162
Custer	0187	KINSEY ELEMENTARY	76	0	0	0	-	221
Teton	0894	POWER ELEMENTARY	91	0	0	0	-	263
Teton	0895	POWER HIGH SCHOOL	60	0	0	0	-	148
Beaverhead	0014	JACKSON ELEMENTARY	15	0	0	0	-	-
Beaverhead	0012	POLARIS ELEMENTARY	0	0	0	0	-	-
Beaverhead	0015	REICHLE ELEMENTARY	21	0	0	0	-	-
Beaverhead	0010	WISDOM ELEMENTARY	18	0	0	0	-	-
Beaverhead	0007	WISE RIVER ELEMENTARY	21	0	0	0	-	-
Big Horn	0020	SPRING CREEK ELEMENTARY	8	0	0	0	-	-
Blaine	0048	BEAR PAW ELEMENTARY	9	0	0	0	-	-
Blaine	0032	CLEVELAND ELEMENTARY	9	0	0	0	-	-
Blaine	1216	NORTH HARLEM COLONY ELEMENTARY	9	0	0	0	-	-
Blaine	0045	TURNER HIGH SCHOOL	42	0	0	0	-	-
Carbon	1231	LUTHER ELEMENTARY	44	0	0	0	-	-
Carter	0096	ALZADA ELEMENTARY	3	0	0	0	-	-
Carter	0078	HAWKS HOME ELEMENTARY	13	0	0	0	-	-
Cascade	1195	DEEP CREEK ELEMENTARY	5	0	0	0	-	-
Chouteau	0171	BENTON LAKE ELEMENTARY	9	0	0	0	-	-
Chouteau	0159	CARTER ELEMENTARY	7	0	0	0	-	-
Chouteau	0154	GERALDINE HIGH SCHOOL	43	0	0	0	-	-
Chouteau	0146	HIGHWOOD HIGH SCHOOL	46	0	0	0	-	-
Chouteau	0161	KNEES ELEMENTARY	18	0	0	0	-	-
Chouteau	0144	WARRICK ELEMENTARY	6	0	0	0	-	-
Custer	0182	COTTONWOOD ELEMENTARY	6	0	0	0	-	-
Custer	0173	KIRCHER ELEMENTARY	40	0	0	0	-	-
Custer	1238	S H ELEMENTARY	7	0	0	0	-	-
Custer	0179	SPRING CREEK ELEMENTARY	5	0	0	0	-	-
Custer	0177	TRAIL CREEK ELEMENTARY	4	0	0	0	-	-
Custer	1232	TWIN BUTTES ELEMENTARY	0	0	0	0	-	-
Daniels	0196	PEERLESS K-12 SCHOOLS	33	0	0	0	-	-
Dawson	0228	RICHEY HIGH SCHOOL	26	0	0	0	-	-
Fergus	1218	AYERS ELEMENTARY	16	0	0	0	-	-
Fergus	0264	DEERFIELD ELEMENTARY	7	0	0	0	-	-
Fergus	0272	KING COLONY ELEMENTARY	14	0	0	0	-	-
Fergus	0274	MOORE HIGH SCHOOL	47	0	0	0	-	-
Fergus	0288	SPRING CREEK COLONY ELEMENTARY	10	0	0	0	-	-
Flathead	0325	PLEASANT VALLEY ELEMENTARY	6	0	0	0	-	-
Flathead	1223	WEST GLACIER ELEMENTARY	30	0	0	0	-	-
Gallatin	0359	COTTONWOOD ELEMENTARY	15	0	0	0	-	-
Gallatin	0367	LAMOTTE ELEMENTARY	72	0	0	0	-	-
Gallatin	0370	MALMBORG ELEMENTARY	17	0	0	0	-	-
Gallatin	1239	OPHIR ELEMENTARY	180	0	0	0	-	-
Gallatin	0362	PASS CREEK ELEMENTARY	14	0	0	0	-	-
Gallatin	0357	SPRINGHILL ELEMENTARY	10	0	0	0	-	-
Gallatin	0361	THREE FORKS HIGH SCHOOL	197	0	0	0	-	-
Gallatin	0355	WILLOW CREEK HIGH SCHOOL	23	0	0	0	-	-

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CO	LE	LOCAL EDUCATION AGENCY	FY 2009 Budgeted ANB	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment
		Statewide	149,752	10,283,824	10,283,799	20,567,623	137	5,000,000
Garfield	0380	BIG DRY CREEK ELEMENTARY	5	0	0	0	-	-
Garfield	0387	COHAGEN ELEMENTARY	6	0	0	0	-	-
Garfield	0386	KESTER ELEMENTARY	3	0	0	0	-	-
Garfield	0394	ROSS ELEMENTARY	7	0	0	0	-	-
Garfield	0392	SAND SPRINGS ELEMENTARY	6	0	0	0	-	-
Garfield	0382	VAN NORMAN ELEMENTARY	-	0	0	0	-	-
Glacier	1222	MOUNTAIN VIEW ELEMENTARY	31	0	0	0	-	-
Granite	0418	HALL ELEMENTARY	25	0	0	0	-	-
Hill	0424	DAVEY ELEMENTARY	19	0	0	0	-	-
Hill	1217	GILDFORD COLONY ELEMENTARY	11	0	0	0	-	-
Jefferson	0458	CARDWELL ELEMENTARY	52	0	0	0	-	-
Jefferson	0452	CLANCY ELEMENTARY	304	0	0	0	-	-
Judith Basin	0473	GEYSER HIGH SCHOOL	42	0	0	0	-	-
Judith Basin	0471	RAYNESFORD ELEMENTARY	-	0	0	0	-	-
Lake	0486	SWAN LAKE-SALMON ELEMENTARY	5	0	0	0	-	-
Lake	1211	UPPER WEST SHORE ELEMENTARY	43	0	0	0	-	-
Lewis & Clark	0498	AUCHARD CREEK ELEMENTARY	25	0	0	0	-	-
Lewis & Clark	0497	CRAIG ELEMENTARY	-	13,986	21,297	35,283	-	-
Liberty	1224	LIBERTY ELEMENTARY	22	0	0	0	-	-
Liberty	0506	WHITLASH ELEMENTARY	4	0	0	0	-	-
Lincoln	0529	FORTINE ELEMENTARY	61	0	0	0	-	-
Lincoln	0532	SYLVANITE ELEMENTARY	-	0	0	0	-	-
Lincoln	0534	TREGO ELEMENTARY	52	0	0	0	-	-
Lincoln	0533	YAAK ELEMENTARY	6	0	0	0	-	-
McCone	0566	VIDA ELEMENTARY	21	0	0	0	-	-
Meagher	0568	LENNEP ELEMENTARY	4	0	0	0	-	-
Missoula	0594	SUNSET ELEMENTARY	9	0	0	0	-	-
Missoula	0591	WOODMAN ELEMENTARY	36	0	0	0	-	-
Musselshell	0608	MELSTONE HIGH SCHOOL	22	0	0	0	-	-
Park	0617	COOKE CITY ELEMENTARY	4	0	0	0	-	-
Park	0614	GARDINER ELEMENTARY	161	0	0	0	-	-
Park	0620	PINE CREEK ELEMENTARY	29	0	0	0	-	-
Park	0635	SPRINGDALE ELEMENTARY	8	0	0	0	-	-
Phillips	0653	LANDUSKY ELEMENTARY	-	0	0	0	-	-
Phillips	0657	SACO HIGH SCHOOL	32	0	0	0	-	-
Pondera	0684	MIAMI ELEMENTARY	12	0	0	0	-	-
Powder River	0692	BENZIE ELEMENTARY	9	0	0	0	-	-
Powder River	0692	BIDDLE ELEMENTARY	9	0	0	0	-	-
Powder River	0709	SOUTH STACEY ELEMENTARY	7	0	0	0	-	-
Powell	0721	GOLD CREEK ELEMENTARY	6	0	0	0	-	-
Powell	0717	HELMVILLE ELEMENTARY	30	0	0	0	-	-
Richland	0749	BRORSON ELEMENTARY	7	0	0	0	-	-
Richland	0754	RAU ELEMENTARY	81	0	0	0	-	-
Richland	0748	SAVAGE HIGH SCHOOL	48	0	0	0	-	-
Roosevelt	0777	CULBERTSON ELEMENTARY	176	0	0	0	-	-
Roosevelt	0787	FROID HIGH SCHOOL	25	0	0	0	-	-
Rosebud	0789	BIRNEY ELEMENTARY	7	0	0	0	-	-
Rosebud	0795	ROSEBUD HIGH SCHOOL	37	0	0	0	-	-
Sanders	0813	CAMAS PRAIRIE ELEMENTARY	-	0	0	0	-	-
Silver Bow	0843	DIVIDE ELEMENTARY	12	0	0	0	-	-
Silver Bow	0844	MELROSE ELEMENTARY	16	0	0	0	-	-
Stillwater	0862	ABSAROOKEE HIGH SCHOOL	114	0	0	0	-	-
Stillwater	0853	FISHTAIL ELEMENTARY	12	0	0	0	-	-
Stillwater	0852	MOLT ELEMENTARY	5	0	0	0	-	-
Stillwater	0857	NYE ELEMENTARY	7	0	0	0	-	-
Stillwater	0847	PARK CITY HIGH SCHOOL	101	0	0	0	-	-
Stillwater	0851	REEDPOINT HIGH SCHOOL	25	0	0	0	-	-
Sweet Grass	0872	GREYCLIFF ELEMENTARY	12	0	0	0	-	-
Sweet Grass	0875	MCLEOD ELEMENTARY	9	0	0	0	-	-
Teton	0900	GREENFIELD ELEMENTARY	57	0	0	0	-	-
Toole	0915	GALATA ELEMENTARY	15	0	0	0	-	-
Valley	0933	HINSDALE HIGH SCHOOL	34	0	0	0	-	-
Valley	0941	LUSTRE ELEMENTARY	44	0	0	0	-	-
Wheatland	0947	SHAWMUT ELEMENTARY	7	0	0	0	-	-
Yellowstone	0978	BROADVIEW ELEMENTARY	129	0	0	0	-	-
Yellowstone	0979	BROADVIEW HIGH SCHOOL	59	0	0	0	-	-
Yellowstone	0975	CUSTER K-12 SCHOOLS	90	0	0	0	-	-



STATE FISCAL STABILIZATION FUND

The State Fiscal Stabilization Fund (SFSF) program is a new one-time appropriation of \$53.6 billion under the *American Recovery and Reinvestment Act of 2009 (ARRA)*. Of the amount appropriated, the U. S. Department of Education will award governors approximately \$48.6 billion by formula under the SFSF program in exchange for a commitment to advance essential education reforms to benefit students from early learning through post-secondary education, including: college- and career- ready standards and high-quality, valid and reliable assessments for all students; development and use of pre-K through post-secondary and career data systems; increasing teacher effectiveness and ensuring an equitable distribution of qualified teachers; and turning around the lowest-performing schools.

These funds will help stabilize state and local government budgets in order to minimize and avoid reductions in education and other essential public services. The program will help ensure that local educational agencies (LEAs) and publicly funded institutions of higher education (IHEs) have the resources to avert cuts and retain teachers and professors. The program may also help support the modernization, renovation, and repair of school and college facilities. In addition, the law provides governors with significant resources to support education (including school modernization renovation, and repair), public safety, and other government services. The Department will award the remaining \$5 billion competitively under the "Race to the Top" and "Investing in What Works and Innovation" programs.

SFSF is a key element of the *ARRA* and is guided by the principles of *ARRA*.

Overview of *ARRA*

Principles: The overall goals of the *ARRA* are to stimulate the economy in the short term and invest in education and other essential public services to ensure the long-term economic health of our nation. The success of the education part of the *ARRA* will depend on the shared commitment and responsibility of students, parents, teachers, principals, superintendents, education boards, college presidents, state school chiefs, governors, local officials, and federal officials. Collectively, we must advance *ARRA*'s short-term economic goals by investing quickly, and we must support *ARRA*'s long-term economic goals by investing wisely, using these funds to strengthen education, drive reforms, and improve results for students from early learning through college. Four principles guide the distribution and use of *ARRA* funds:

- a. **Spend funds quickly to save and create jobs.** *ARRA* funds will be distributed quickly to states, LEAs and other entities in order to avert layoffs and create jobs. States and LEAs in turn are urged to move rapidly to develop plans for using funds, consistent with the law's reporting and accountability requirements, and to promptly begin spending funds to help drive the nation's economic recovery.

- As part of its application for initial funding, the state must assure that it will take actions to: (a) increase teacher effectiveness and address inequities in the distribution of highly qualified teachers; (b) establish and use pre-K-through-college and career data systems to track progress and foster continuous improvement; (c) make progress toward rigorous college- and career-ready standards and high-quality assessments; and (d) support targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring.
 - Within two weeks of receipt of an approvable SFSF application, the Department will provide a state with 67 percent of its SFSF allocation.
 - A state will receive the remaining portion of its SFSF allocation after the Department approves the state's plan detailing its strategies for addressing the education reform objectives described in the assurances. This plan must also describe how the state is implementing the record-keeping and reporting requirements under *ARRA* and how SFSF and other funding will be used in a fiscally prudent way that substantially improves teaching and learning.
 - In the near future, the Department will issue guidance on the specific requirements that a state must meet to receive its phase two allocation. The Department anticipates that the phase-two funds will be awarded beginning July 1, 2009, on a rolling basis.
- If a state demonstrates that the amount of funds it will receive in phase one (67 percent of its total stabilization allocation) is insufficient to prevent the immediate layoff of personnel by LEAs, state educational agencies, or publicly funded institutions of higher education, the Department will award the state up to 90 percent of its SFSF allocation in phase one. In such cases, the remaining portion of the state's allocation will be provided after the Department approves the state's plan.
 - Of the amount appropriated for the SFSF, the Department will use at least \$4.35 billion to make competitive grants under the "Race to the Top" fund. These grants will help states to drive significant improvement in student achievement, including through making progress toward the four assurances noted above.
 - The Department will use up to \$650 million to make competitive awards under the "Invest in What Works and Innovation" fund. These awards will reward LEAs or nonprofit organizations that have made significant gains in closing achievement gaps to serve as models for best practices.

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- a. **Spend funds quickly to save and create jobs.** *ARRA* funds will be distributed quickly to states, LEAs and other entities in order to avert layoffs and create jobs. States and LEAs in turn are urged to move rapidly to develop plans for using funds, consistent with the law's reporting and accountability requirements, and to promptly begin spending funds to help drive the nation's economic recovery.

- b. **Improve student achievement through school improvement and reform.** *ARRA* funds should be used to improve student achievement and help close the achievement gap. In addition, the SFSF requires progress on four reforms previously authorized under the bipartisan Elementary and Secondary Education Act and the America Competes Act of 2007:
1. Making progress toward rigorous college- and career-ready standards and high-quality assessments that are valid and reliable for all students, including English language learners and students with disabilities;
 2. Establishing pre-K-to college and career data systems that track progress and foster continuous improvement;
 3. Making improvements in teacher effectiveness and in the equitable distribution of qualified teachers for all students, particularly students who are most in need;
 4. Providing intensive support and effective interventions for the lowest-performing schools.
- c. **Ensure transparency, reporting and accountability.** To prevent fraud and abuse, support the most effective uses of *ARRA* funds, and accurately measure and track results, recipients must publicly report on how funds are used. Due to the unprecedented scope and importance of this investment, *ARRA* funds are subject to additional and more rigorous reporting requirements than normally apply to grant recipients.
- d. **Invest one-time *ARRA* funds thoughtfully to minimize the “funding cliff.”** *ARRA* represents a historic infusion of funds that is expected to be temporary. Depending on the program, these funds are available for only two to three years. These funds should be invested in ways that do not result in unsustainable continuing commitments after the funding expires.

Awarding SFSF Grants

- In order to help alleviate the substantial budget shortfalls that states are facing, the Department has developed a streamlined, user-friendly process for expeditiously providing to states SFSF allocations:
 - Sixty-one percent of a state’s allocations will be on the basis of their relative population of individuals aged 5 to 24, and 39 percent will be based on relative shares of total population.
 - The Department will award SFSF funds to governors in two phases. To receive its initial SFSF allocation, a state must submit to the Department an application that provides (1) assurances that the state is committed to advancing education reform in four specific areas (described below); (2) baseline data that

- As part of its application for initial funding, the state must assure that it will take actions to: (a) increase teacher effectiveness and address inequities in the distribution of highly qualified teachers; (b) establish and use pre-K-through-college and career data systems to track progress and foster continuous improvement; (c) make progress toward rigorous college- and career-ready standards and high-quality assessments; and (d) support targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring.
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 - A state will receive the remaining portion of its SFSF allocation after the Department approves the state's plan detailing its strategies for addressing the education reform objectives described in the assurances. This plan must also describe how the state is implementing the record-keeping and reporting requirements under *ARRA* and how SFSF and other funding will be used in a fiscally prudent way that substantially improves teaching and learning.
 - In the near future, the Department will issue guidance on the specific requirements that a state must meet to receive its phase two allocation. The Department anticipates that the phase-two funds will be awarded beginning July 1, 2009, on a rolling basis.
- If a state demonstrates that the amount of funds it will receive in phase one (67 percent of its total stabilization allocation) is insufficient to prevent the immediate layoff of personnel by LEAs, state educational agencies, or publicly funded institutions of higher education, the Department will award the state up to 90 percent of its SFSF allocation in phase one. In such cases, the remaining portion of the state's allocation will be provided after the Department approves the state's plan.
 - Of the amount appropriated for the SFSF, the Department will use at least \$4.35 billion to make competitive grants under the "Race to the Top" fund. These grants will help states to drive significant improvement in student achievement, including through making progress toward the four assurances noted above.
 - The Department will use up to \$650 million to make competitive awards under the "Invest in What Works and Innovation" fund. These awards will reward LEAs or nonprofit organizations that have made significant gains in closing achievement gaps to serve as models for best practices.

Funds to Restore Support for Education

- States must use 81.8 percent of SFSF funds for the support of public elementary, secondary, and higher education, and, as applicable, early childhood education programs and services.
- States must use their allocations to help restore for FY 2009, 2010, and 2011 support for public elementary, secondary, and postsecondary education to the greater of the FY 2008 or FY 2009 level. The funds needed to restore support for elementary and secondary education must be run through the state's primary elementary and secondary education funding formulae. The funds for higher education must go to IHEs.
- If any SFSF funds remain after the state has restored state support for elementary and secondary education and higher education, the state must award the funds to LEAs on the basis of the relative Title I shares but not subject to Title I program requirements.

Funds to Support Public Safety and Other Government Services

- States must use 18.2 percent of the SFSF funds for education (school modernization, renovation, and repair), public safety, and other government services. This may include assistance for early learning, elementary and secondary education, and IHEs. In addition, states may use these funds for modernization, renovation, or repair of public school and public or private college facilities.

LEA and IHE Uses of Funds

- LEAs and IHEs should use funds consistent with the intent and overall goals of *ARRA*: to create and save jobs and to advance the education reforms set forth in the assurances section so as to produce lasting results for students from early learning to college. LEAs and IHEs are also encouraged to consider uses of funds that create lasting results without creating unsustainable recurring costs.
- Subject to limited restrictions in *ARRA* as defined in further guidance LEAs may use their share of 81.8% of the SFSF education funds for any activity authorized under the *Elementary and Secondary Education Act of 1965 (ESEA)* (which includes the modernization, renovation, or repair of public school facilities), the *Individuals with Disabilities Education Act (IDEA)*, the *Adult Education and Family Literacy Act (Adult Education Act)*, or the *Carl D. Perkins Career and Technical Education Act of 2006 (Perkins Act)*.
- Any funds that an LEA receives from the 81.8 percent of the SFSF program (whether distributed through the state's primary funding formulae or on the basis of the relative Title I, Part A) may be used for any activity listed in the above paragraph.
- LEAs may use SFSF to pay salaries to avoid having to lay off teachers and other school employees.
- To the extent LEAs use funds for modernization, renovation or repair, they should consider the use of facilities for early childhood education and for the community and should create "green" buildings.
- Subject to limited restrictions in *ARRA*, IHEs may use program funds for: (1) education and general expenditures, and in such a way as to mitigate the need to raise tuition and

fees for in-state students; or (2) the modernization, renovation, or repair of IHE facilities that are primarily used for instruction, research, or student housing. IHEs may not use funds to increase their endowments.

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EXHIBIT 7
DATE 3/12/09
HB 645



MONTANA PRESERVATION WORKS PROGRAM

With American Recovery and Reinvestment Act monies, the state of Montana has a tremendous opportunity to address the needs of heritage properties that are central to community identity and at the same time protect the environment, create jobs, revitalize our cities and towns, and increase tourism. These projects are public works in the truest sense. Across Montana, buildings owned by the state, counties, local municipalities, or non-profits cry out for everything from the most basic repair and stabilization to rehabilitation. Preserving our historic buildings will generate skilled labor employment and economic vitality, and a renewed sense of pride and optimism statewide.

The Montana Preservation Works Program
would provide **\$10 million** directly toward historic preservation projects
that would quickly and positively impact the economic vitality of
Montana's communities.

Montana's Historic Infrastructure: \$6.5 million
for direct "bricks and mortar" grants statewide

Montana's Agricultural Heritage: \$750,000
for grants to owners of historic barns and agricultural
buildings statewide

Montana's County Courthouses: \$1.5 million
for courthouse assessment and bricks and mortar grants

Montana Local Preservation: \$1 million
to be distributed to the CLGs, Tribal Preservation Offices, and
Preserve America communities to sustain their own,
small grant programs

Montana State Historic Preservation Office: \$250,000
for data upgrades streamlining the granting/consulting process



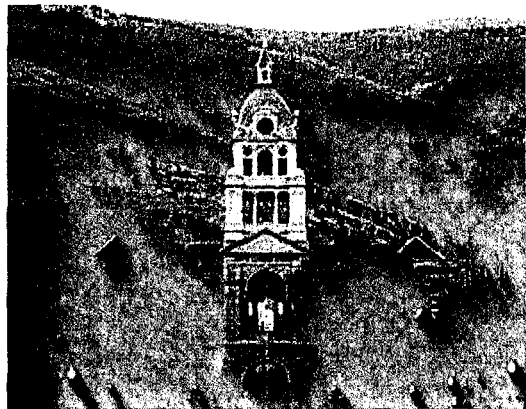
PUBLIC WORKS FOR PUBLIC GOOD: HISTORIC PRESERVATION PROJECTS IN MONTANA

With the American Recovery and Reinvestment Act monies, the state of Montana has a tremendous opportunity to address the needs of properties that are central to community identity and at the same time, protect the environment, create jobs, revitalize our cities and towns, and increase tourism. These projects represent true public works, as buildings owned by the state, counties, local municipalities, or non-profits cry out for everything from the most basic repair and stabilization to rehabilitation that brings not only well-paying skilled labor employment and economic vitality, but also a renewed sense of pride and optimism statewide. Realizing these completed projects would provide a lasting legacy for Montana.

MONTANA'S COUNTY COURTHOUSES, STATEWIDE

Today, 48 of Montana's 56 county courthouses are historic, and in many counties they are the most prominent buildings. As courthouse uses evolve & technology changes, counties are challenged to step into the 21st century. Many counties recognize that retaining their architectural legacy and a link to local heritage is important to the health of communities. They need help to find creative ways to adapt and to finance projects that will give these stately buildings a new life.

Investment cost: \$1,500,000



RIALTO THEATER, DEER LODGE

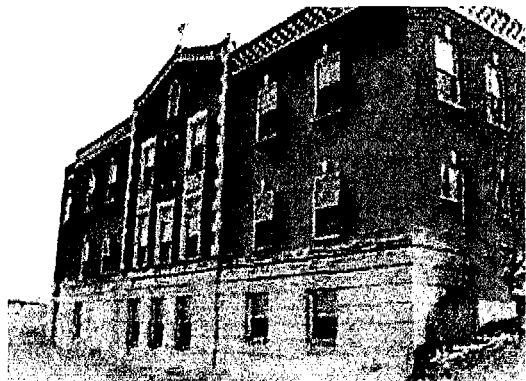
The theater is owned by a non-profit and would be used for screening of movies, public presentations, and musical and theatrical performances. A significant portion of this National Register listed property burned to the ground in 2006 shortly after the completion of a multi-year, community-led restoration effort. The lobby and terra cotta façade remain intact while the theater space is being reconstructed. Since the fire the theater organization has raised just under \$2M with a goal of \$3.5M.

Investment cost: \$1,500,000

ST. JOSEPH'S HOSPITAL NURSES' BUILDING, LEWISTOWN

The Nurses' Building would be used for elderly housing. The City of Lewistown owns this National Register listed property and has been seeking to convert this vacant building into an 8-unit apartment complex as part of a larger, 24-unit Low Income Housing Tax Credit Project. Major renovation and restoration efforts are required to bring this stately building back into public use.

Investment cost: \$1,172,769



**BANNACK NATIONAL HISTORIC LANDMARK,
BANNACK**

The Bannack National Historic Landmark recalls the earliest non-Indian history of Montana. The town was founded in 1862 and became the first territorial capital in 1864. Now a state park, the property consists of over sixty standing structures, many of which are in need of stabilization and improved preservation activities. With proper funding, FWP could restore cabins there to establish a cabin rental program, much like the Forest Service's very successful program.

Investment cost: \$500,000



ST. MARY'S MISSION, STEVENSVILLE

Established in 1841 by Father De Smet, St. Mary's Mission is the first permanent settlement in what was to become Montana. The goal of St. Mary's is to provide and to promote a cross-cultural, transgenerational, educational experience, to strengthen ties with Indian culture, and to improve the local economy through tourism. There are several buildings at the site that are in need of maintenance and repair, including utility upgrades and stabilization.

Investment cost: \$300,000

DALY MANSION, HAMILTON

The property was the summer home of the Marcus Daly family in the heart of the Bitterroot Valley. The mansion is an intrinsic part of the history of Montana, a key to successful cultural tourism in the area. The state owns the property, which requires ongoing restoration and landscaping projects vital to the continued success of the property.

Investment cost: \$500,000



YWCA, HELENA

This stately brick building has provided transitional housing for homeless women and children since the building's completion in 1918. Following about fifty years of deferred maintenance, the Helena YWCA is in need of roof replacement; stabilization of fire escapes; repair of exterior decking and balustrades of upper level balconies; replacement of rain gutters & downspouts; energy conservation and weatherization; repointing and stabilization of exterior brick veneer; upgraded accessibility to comply with American with Disabilities Act; modernization of radiators and bathroom facilities; construction of a commercial grade kitchen to serve the residents in 35 leased rooms.

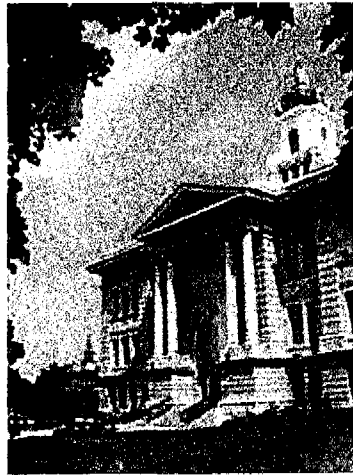
Investment cost: \$1,001,000



MISSOULA COUNTY COURTHOUSE, MISSOULA

The Missoula County Courthouse, designed by A.J. Gibson, Missoula's premier architect, was constructed between 1908 and 1910 and occupies an entire city block. This important landmark requires ADA compliance work, repair to its sidewalks and retaining walls, as well as interior restoration and site development.

Investment cost: \$215,000

**FORT MISSOULA, MISSOULA**

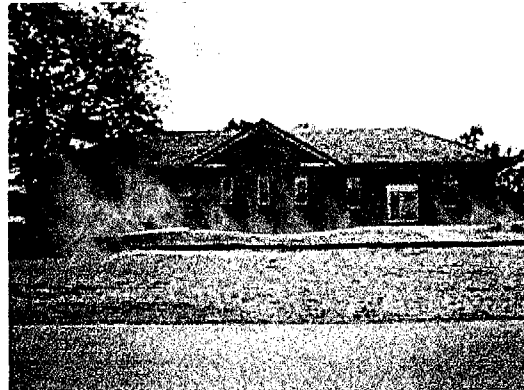
The Fort Missoula Historic District is in need of site improvements to increase accessibility to sites and buildings within the district. Of particular need of access and restoration is building T-1, the WW II Post and Detention Center Headquarters, which is now part of the Historical Museum at Fort Missoula, owned and managed by Missoula County. The original architectural drawings are in hand, and modifications to the property can be prepared in sixty days. Trails and walkways need to be constructed throughout the district, and the Detention Center area needs access and site development for public use.

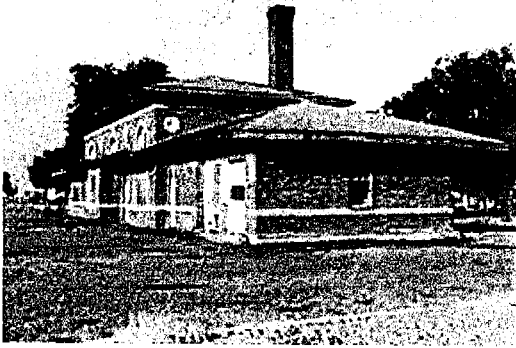
Investment cost: \$450,000

**HARDIN RAILROAD DEPOT, HARDIN**

The 1922-23 Hardin Depot served the community and the surrounding area for many years. The depot closed in 1991 and fell into disrepair until a concerted community effort began in 1998. More work needs to be done to make the Depot a viable structure for the community including roof repair, HVAC and plumbing updates, and window and door restoration. These improvements could commence immediately upon receipt of funding. Big Horn County, with one of the state's highest unemployment rates, would benefit greatly from funds which would offer income for the community.

Investment cost: \$65,000





NORTHERN PACIFIC DEPOT, MILES CITY

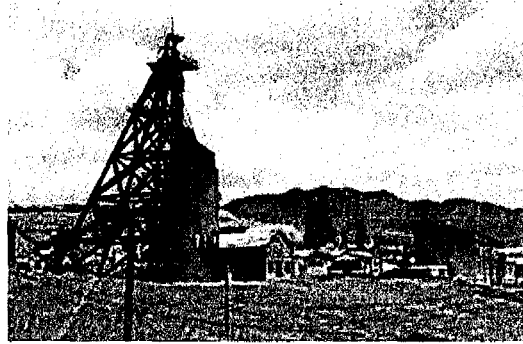
The lovely Renaissance Revival-style Northern Pacific Railway Depot in Miles City is rapidly deteriorating and town citizens are charting a new course for the building. Completed in 1923, the building has not been used since passenger service along the line ceased in 1979. In 2008, the city learned that the owners, Burlington Northern Santa Fe, proposed to demolish the building. The mayor and town citizens rallied BNSF to put that plan on hold until a better plan can be created. Miles City is now working with BNSF to chart a rehabilitation plan and address concerns about liability while the building is in disrepair. The city needs assistance funds to progress with a condition assessment and preservation planning.

Investment cost: \$60,000

ORIGINAL MINE HOIST HOUSE, BUTTE

The historic industrial structures in Butte are among the most important in Montana's mining history. The Original Mineyard Hoisting House was built in 1898 and housed a steam powered hoist engine. While there are 10 hoist houses still standing in Butte, the Original and Stewart mineyards are the only two that still contain nearly intact steam hoist engines. Owners, Butte-Silver Bow County have plans in place to re-roof the hoist house, preserving it for future interpretive use.

Investment cost: \$40,000



GILBERT BREWERY, VIRGINIA CITY

Launched in 1863, the Gilbert Brewery in Virginia City represents the oldest intact pioneer brewery in the West. The brewery complex is quite rare in that much of the original equipment, mash barrels, malting towers, and fermentation barrels are still located in the building, along with the Brewery Follies, a cabaret-style theater production company. Substantial monies are required to help the Montana Heritage Commission pay for stabilization.

Investment cost: \$350,000

ADAMS STONE BARN, SUN RIVER

Comissioned in 1885, the grand J.C. Adams Stone Barn northeast of Sun River used local sandstone and archways shipped from the East Coast to Fort Benton. The barn is roughly 40 feet wide and 140 feet long, and a life-size stallion weather vain now perches on top. This iconic building is undergoing a major restoration process, and is in great need of window rehabilitation.

Investment cost: \$40,000





BOULDER RIVER SCHOOL, BOULDER

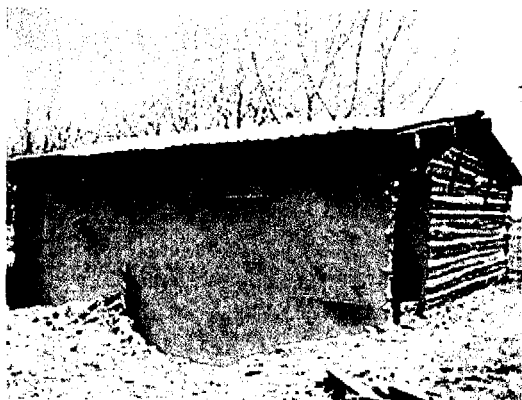
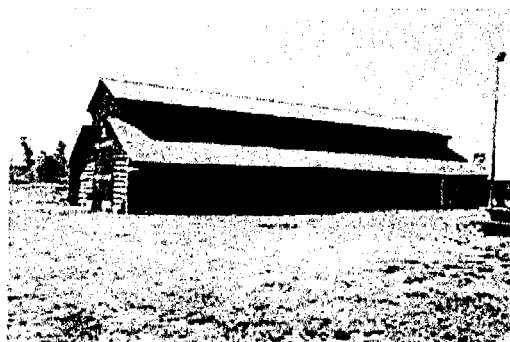
The historic buildings at the Boulder River School lay vacant and deteriorating. These wonderful buildings embody huge potential for rehabilitation and economic vitality. Community efforts are underway to identify the best use of the property and engage in a historic preservation and re-use plan.

Investment cost: \$8,000,000

MADISON COUNTY FAIRGROUNDS, TWIN BRIDGES

Two multiuse buildings and the grandstands at the historic fairgrounds have been identified as needing major structural and code upgrades in order to make these facilities safe for the public while maintaining historic qualities. The County has no revenue source to complete this project. A Preliminary Engineering and Architectural Report has identified the solutions to the problems. This effort will enable design drawings and contract documents to be completed and ready for bid within 120 days of a notice to proceed.

Investment cost: \$800,000



REED AND BOWLES TRADING POST, AND REED'S FORT POST OFFICE, LEWISTOWN

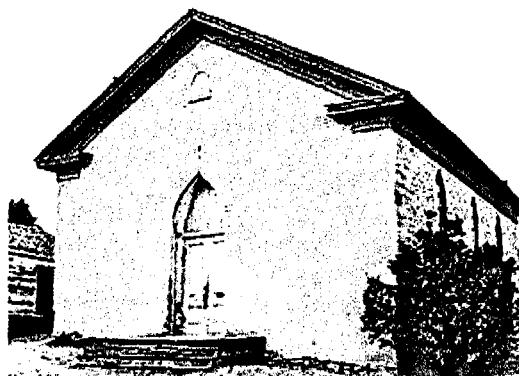
An application is being prepared to list these two individual properties in the National Register of Historic Places. The former trading post is on the Nez Perce Trail and was a stopping point for the Nez Perce on September 21, 1877 on their route to the Bears Paw Battlefield. The structure is on county owned land and is in need of stabilization and restoration. The post office is the first such facility in Lewistown, and in need of rehabilitation. An investment of \$10,000 for each would serve to preserve and interpret these historic properties.

Investment cost: \$20,000

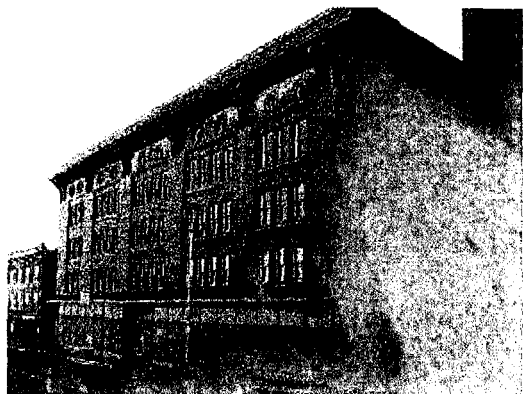
VIRGINIA CITY METHODIST CHURCH

One of the most intact structures owned by the Montana Heritage Commission, the Greek Revival-style Methodist Church is currently used for storage and has been out of public use for decades. It is no longer an active church, but is a beautifully preserved building that needs some TLC to be put to beneficial use. The town is in desperate need of classroom and small community hall meeting space for both public and private functions. This building is ideally located for this, if funding were acquired to fund its rehabilitation.

Investment cost: \$81,000



In addition to public buildings and non-profit projects, a program to fund the restoration and rehabilitation of privately owned historic properties would result in tangible economic benefits in their respective communities. Job creation, commercial revitalization, and heritage tourism benefits are just a few of the lasting rewards that would be experienced in Montana.



HENNESSEY BUILDING ANNEX, BUTTE

This five-story building is owned by a Butte developer who has plans to develop it into commercial space on the ground floor and apartments on the upper three floors. The owner has sought partners who would "purchase" tax credits under the Federal Rehab Tax Credit Program, but has not been successful. Both the Montana SHPO and NPS have reviewed and approved the rehabilitation plan.

Investment cost: \$4,000,000

FORMER FEDERAL BUILDING AND POST OFFICE, HAVRE

The magnificent US Federal Building and Post Office in Havre provides an elegant anchor to the Commercial District of that community. At over three stories, the building retains high potential for development for retail, professional, and residential tenants. The upper floors and lower level would need improvements to make them function for residential and commercial uses. Developers have made serious inquiries regarding the rehabilitation of this property, but the absence of viable grant and credits programs have made rehabilitation cost prohibitive.

Investment cost: \$2,000,000



MONTANA BARN

The Montana SHPO established a barn grant program in 2005 and has awarded \$80,000 in that time. The number of applicants and cost of projects indicate the needs of historic barns exceed the available funds. One project MTSHPO is funding at a level of \$15,000 is the re-roofing and structural stabilization of the Big Barn at the Naylor Ranch in Buffalo, which is part of a cattle operation. The project involves a re-roofing and structural stabilization costing more than \$50,000. Without an influx of funding this program will cease to exist.

Investment cost: \$750,000



For more information contact:
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PUBLIC WORKS FOR PUBLIC GOOD: HISTORIC PRESERVATION PROJECTS IN MONTANA

With the American Recovery and Reinvestment Act monies, the state of Montana has a tremendous opportunity to address the needs of properties that are central to community identity and at the same time, protect the environment, create jobs, revitalize our cities and towns, and increase tourism. These projects represent true public works, as buildings owned by the state, counties, local municipalities, or non-profits cry out for everything from the most basic repair and stabilization to rehabilitation that brings not only well-paying skilled labor employment and economic vitality, but also a renewed sense of pride and optimism statewide. Realizing these completed projects would provide a lasting legacy for Montana.

MONTANA'S COUNTY COURTHOUSES, STATEWIDE

Today, 48 of Montana's 56 county courthouses are historic, and in many counties they are the most prominent buildings. As courthouse uses evolve & technology changes, counties are challenged to step into the 21st century.

Many counties recognize that retaining their architectural legacy and a link to local heritage is important to the health of communities.

They need help to find creative ways to adapt and to finance projects that will give these stately buildings a new life.

Investment cost: \$1,500,000



RIALTO THEATER, DEER LODGE

The theater is owned by a non-profit and would be used for screening of movies, public presentations, and musical and theatrical performances. A significant portion of this National Register listed property burned to the ground in 2006 shortly after the completion of a multi-year, community-led restoration effort. The lobby and terra cotta façade remain intact while the theater space is being reconstructed. Since the fire the theater organization has raised just under \$2M with a goal of \$3.5M.

Investment cost: \$1,500,000

ST. JOSEPH'S HOSPITAL NURSES' BUILDING, LEWISTOWN

The Nurses' Building would be used for elderly housing. The City of Lewistown owns this National Register listed property and has been seeking to convert this vacant building into an 8-unit apartment complex as part of a larger, 24-unit Low Income Housing Tax Credit Project. Major renovation and restoration efforts are required to bring this stately building back into public use.

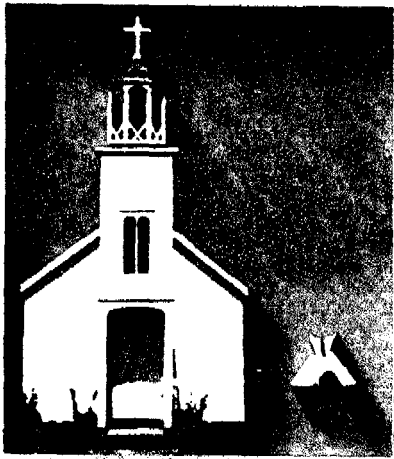
Investment cost: \$1,172,769



**BANNACK NATIONAL HISTORIC LANDMARK,
BANNACK**

The Bannack National Historic Landmark recalls the earliest non-Indian history of Montana. The town was founded in 1862 and became the first territorial capital in 1864. Now a state park, the property consists of over sixty standing structures, many of which are in need of stabilization and improved preservation activities. With proper funding, FWP could restore cabins there to establish a cabin rental program, much like the Forest Service's very successful program.

Investment cost: \$500,000



ST. MARY'S MISSION, STEVENSVILLE

Established in 1841 by Father De Smet, St. Mary's Mission is the first permanent settlement in what was to become Montana. The goal of St. Mary's is to provide and to promote a cross-cultural, transgenerational, educational experience, to strengthen ties with Indian culture, and to improve the local economy through tourism. There are several buildings at the site that are in need of maintenance and repair, including utility upgrades and stabilization.

Investment cost: \$300,000

DALY MANSION, HAMILTON

The property was the summer home of the Marcus Daly family in the heart of the Bitterroot Valley. The mansion is an intrinsic part of the history of Montana, a key to successful cultural tourism in the area. The state owns the property, which requires ongoing restoration and landscaping projects vital to the continued success of the property.

Investment cost: \$500,000



YWCA, HELENA

This stately brick building has provided transitional housing for homeless women and children since the building's completion in 1918. Following about fifty years of deferred maintenance, the Helena YWCA is in need of roof replacement; stabilization of fire escapes; repair of exterior decking and balustrades of upper level balconies; replacement of rain gutters & downspouts; energy conservation and weatherization; repointing and stabilization of exterior brick veneer; upgraded accessibility to comply with American with Disabilities Act; modernization of radiators and bathroom facilities; construction of a commercial grade kitchen to serve the residents in 35 leased rooms.

Investment cost: \$1,001,000



MISSOULA COUNTY COURTHOUSE, MISSOULA

The Missoula County Courthouse, designed by A.J. Gibson, Missoula's premier architect, was constructed between 1908 and 1910 and occupies an entire city block. This important landmark requires ADA compliance work, repair to its sidewalks and retaining walls, as well as interior restoration and site development.

Investment cost: \$215,000

**FORT MISSOULA, MISSOULA**

The Fort Missoula Historic District is in need of site improvements to increase accessibility to sites and buildings within the district. Of particular need of access and restoration is building T-1, the WW II Post and Detention Center Headquarters, which is now part of the Historical Museum at Fort Missoula, owned and managed by Missoula County. The original architectural drawings are in hand, and modifications to the property can be prepared in sixty days. Trails and walkways need to be constructed throughout the district, and the Detention Center area needs access and site development for public use.

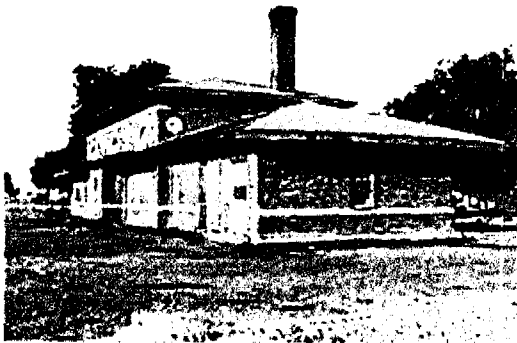
Investment cost: \$450,000

HARDIN RAILROAD DEPOT, HARDIN

The 1922-23 Hardin Depot served the community and the surrounding area for many years. The depot closed in 1991 and fell into disrepair until a concerted community effort began in 1998. More work needs to be done to make the Depot a viable structure for the community including roof repair, HVAC and plumbing updates, and window and door restoration. These improvements could commence immediately upon receipt of funding. Big Horn County, with one of the state's highest unemployment rates, would benefit greatly from funds which would offer income for the community.

Investment cost: \$65,000





NORTHERN PACIFIC DEPOT, MILES CITY

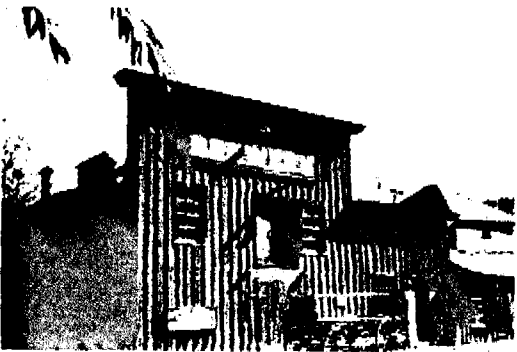
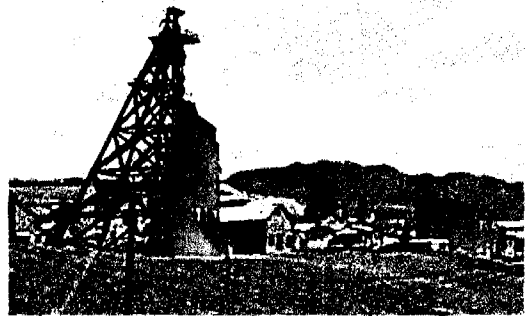
The lovely Renaissance Revival-style Northern Pacific Railway Depot in Miles City is rapidly deteriorating and town citizens are charting a new course for the building. Completed in 1923, the building has not been used since passenger service along the line ceased in 1979. In 2008, the city learned that the owners, Burlington Northern Santa Fe, proposed to demolish the building. The mayor and town citizens rallied BNSF to put that plan on hold until a better plan can be created. Miles City is now working with BNSF to chart a rehabilitation plan and address concerns about liability while the building is in disrepair. The city needs assistance funds to progress with a condition assessment and preservation planning.

Investment cost: \$60,000

ORIGINAL MINE HOIST HOUSE, BUTTE

The historic industrial structures in Butte are among the most important in Montana's mining history. The Original Mineyard Hoisting House was built in 1898 and housed a steam powered hoist engine. While there are 10 hoist houses still standing in Butte, the Original and Stewart mineyards are the only two that still contain nearly intact steam hoist engines. Owners, Butte-Silver Bow County have plans in place to re-roof the hoist house, preserving it for future interpretive use.

Investment cost: \$40,000



GILBERT BREWERY, VIRGINIA CITY

Launched in 1863, the Gilbert Brewery in Virginia City represents the oldest intact pioneer brewery in the West. The brewery complex is quite rare in that much of the original equipment, mash barrels, malting towers, and fermentation barrels are still located in the building, along with the Brewery Follies, a cabaret-style theater production company. Substantial monies are required to help the Montana Heritage Commission pay for stabilization.

Investment cost: \$350,000

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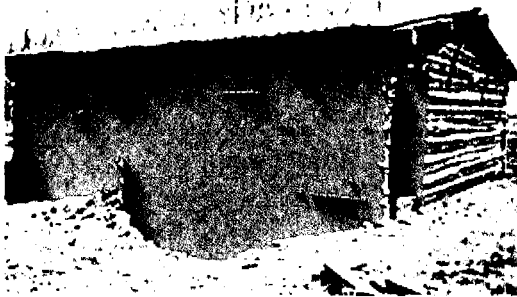
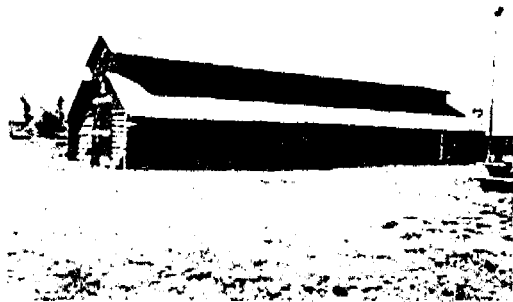
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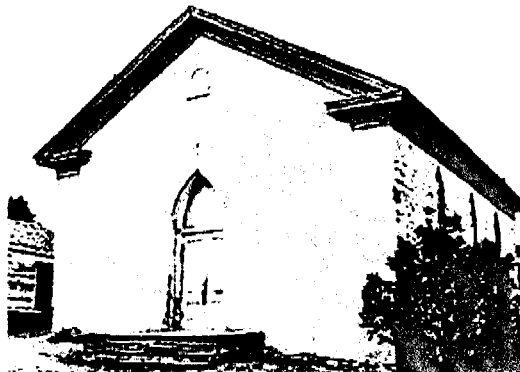
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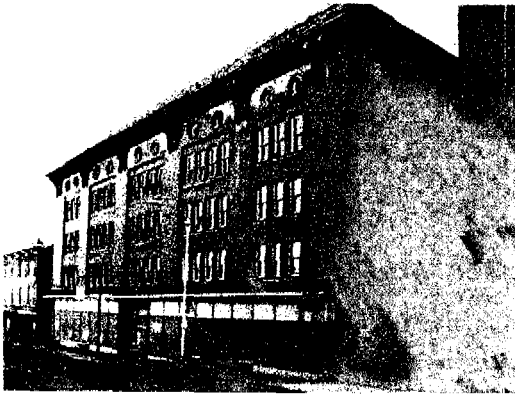
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EXHIBIT 8
DATE 3/12/09
HB 695

Amendment to NB 645

Montana Historical Society Budget

Provide sufficient funding to reduce the vacancy savings in all program areas of the Montana Historical Society budget from 7% to 4%.

Rationale:

The Montana Historical Society exists for the use, learning, culture, and enjoyment of the citizens of, and visitors to, the State of Montana. MHS acquires, preserves, and protects historical records, art, documents, photographs, museum objects, historical places, sites, and monuments. MHS maintains an historical museum, a library and archives, provides educational programs and services for teachers and the general public, and publishes the state historical magazine and newsletter. MHS also administers preservation and antiquities acts, supports commissions with state historical orientation, and provides technical assistance to all Montana museums, historical societies, preservation programs, and owners of historic resources.

The MHS performs all of these services with a relatively small number of employees, 61 FTE. The concern is that any further cuts in personnel will adversely affect the agency's ability to perform its duties and place undue stress on remaining employees. In fact, the last full inventory of the collection was completed in 1985. The last three legislative audit reports, including the report issued in November 2008, have expressed concern with controls over the collection. According to the audit report, the museum has over 50,000 historical artifacts in its collection, currently valued at \$58.4 million, and receives between 250 and 1,500 new artifacts each year. The lack of a complete inventory process increases the possibility the items could be lost or stolen without detection by the program.

Grateful to MHS

The Helena Public School's Indian Education For All team would like to extend its appreciation to the Montana Historical Society for another year of partnership that provided extraordinary opportunity for staff and students alike.

The society has repeatedly opened its doors and welcomed teacher training workshops and IEFA events. As an example, this year more than 600 senior government students from Helena High, Capital High and PAL attended all day Indian Education For All programs that assembled prominent Indian educators from across the state. From Indian law to powerful cultural presentations, Indian history raced across the Capitol complex.

Our IEFA team is grateful to MHS Director Richard Sims, curator Bill Mercer, outreach manager Kirby Lambert and his entire staff. You are consummate professionals! Special thanks to outreach/interpretive specialist Deb Mitchell, whose advice, passion and organizational skills were paramount in providing significant educational opportunity for our teachers and students.

In closing, the Montana Historical Society continues to champion the rich diversity of our state. We are most fortunate.

*Joseph Anderson
2109 Broadway*

EXHIBIT 9
DATE 3/12/09
HB 645

MONTANA UNIVERSITY SYSTEM			
Educational Units Only			
	FY10	FY11	Biennial Cost
Annualized Pay Incease (July-Sept. 2009)	2,079,285	-	4,158,570
Promotions	500,071	519,730	1,519,872
Health Insurance (excess above HB 13 funding)	1,599,760	1,633,639	4,833,159
Merit Pay (By Contract)	636,000	636,000	1,908,000
State Fixed Costs (State pass thru costs)	120,332	(493,998)	(253,334)
IT Fixed Costs (inflated at 9%)	363,713	396,447	1,123,873
Library Acquistions	-	-	0
Utilities	1,397,634	618,731	3,413,999
New Space (O & M)	1,500,433	1,206,437	4,207,303
Tuition Waivers (Resident & Mandatory)	71,163	141,713	284,039
Other Operating Costs	-	-	0
Faculty Termination Costs	-	-	0
Biennial Cost			21,195,481
Resident/WUE Portion (Avg for MUS 84%)			17,654,484
Ed units Res and WUE FY 08 actuals 27988/33349			
Resident/WUE Portion- as presented above			17,654,484
Less: Tuition Mitigation Funding in HB 645			(10,000,000)
Add: Increase Community College Funding to Nov. 15 budget			202,614
Funding for 2 yr Deputy Position			100,000
Funding for Information Resources, Planning & Communication			250,000
Total			8,207,098
Information:			
Present Law as approved in May 2008			30,933,552
Present Law agreement with OBPP - Oct 2008			27,278,689



MSU-Great Falls College of Technology Trends, Cost Containment, and Reductions

Overview

The nation is experiencing economic conditions not witnessed since the Great Depression. All sectors are feeling the effects. Higher Education is no different. The efforts to meet these challenges are often kept internal and not communicated broadly. We do this to ensure our external message to the public remains positive. To keep consumer (student, parent, business, etc) confidence high in higher education, it is paramount we continue this approach. Our constituents must be reassured, especially in these tough times, in the strength, stability and resiliency of the units of the Montana University System (MUS). Yet this does not mean we are not doing our part to reduce costs, improve efficiency, and be responsible stewards of state resources. The MUS is indeed doing its part in responding to an economic downturn that is impacting all corners of our nation.

To demonstrate this, MSU-Great Falls offers the following data points illustrating the work the College is doing, and has been doing, to reduce operating costs, re-allocate revenues to higher performing areas, and to prepare for difficult times in the coming biennium.

Data Points

- 1.) Enrollments continue to grow at MSU-Great Falls: **11.5% increase in FTE since FY07**
- 2.) Programming has increased substantially: **8¹ new programs added since FY07**
- 3.) Operations budgets have decreased: **-1.33% Change from FY08 to FY09**
- 4.) Operations budgets will be less in FY10 than FY07²: **-13.2% Change anticipated (-\$209,620)**
- 5.) Significant reductions in core personnel³: **13.1 FTE reduction⁴ for FY10; 9% of workforce**
- 6.) Fewer employees FY10 than FY07: **5.55 FTE fewer; -6% change in FTE FY07 to FY10**
- 7.) Already significant internal cuts for FY10: **Over \$0.5 Million (\$574,654); 5.6% of FY09 Budget⁵**
- 8.) Cost per student FTE below national average⁶: **75% of national average (\$2,303 less)**

¹ Includes Interior Design (Boz), Rad Tech, Physical Therapist Assistant, Medical Assisting, Carpentry, Welding (GF and Boz), Medical Billing/Coding, and Public Safety Communications

² Campus estimate for FY10 operating budget is \$1,378,470 versus \$1,588,090 in FY07

³ Core personnel does not include adjunct (part-time) faculty members

⁴ Positions reduced through non-renewals, reductions in force, eliminating vacant positions, or layoffs

⁵ FY09 budget at \$10,248,736, and includes One-Time-Only funds

⁶ Delta project 2006 national Community College cost per FTE versus MSU-Great Falls FY06 cost per FTE

Commissioner Sterns,

In response to your request for identified budget efficiencies UM-Helena has implemented in recent years, I have created a list of bullet points that highlight those items that speak to our efforts to hold down the cost of higher education in the Helena region.

- Moved from a base-plus budget model to a yearly zero –base model. All represented areas of the College participate, create, and defend the funding they require each academic year to their peers and institutional leadership;
- Expenditures not identified in an approved initial budget request must follow reallocation approval processes through leadership before a purchase can be made;
- Elimination of a low enrollment program that is no longer viable; Electronics;
- A majority of new programs that have been implemented are spinoffs that utilize course material from existing programs providing a minimal need to develop new courses, thus reducing the added cost for equipment and personnel;
- Identified and implemented academic programs as need from other state institutions to reduce program costs while still providing viable academic programs for the communities we serve;
- Hire non-tenured full-time faculty on one-year contracts, pending future enrollment and program needs;
- Develop and create credit programs through Continuing Education on a self funded basis until they can be sustained by the Colleges general fund;
- Organization restructuring, collapsing and combining positions, rewriting job descriptions and streamlining daily functions to reduce personnel costs;
- Expand access to college services through the use of technology, requiring students to take more responsibility for the management of their education;
- Develop community partnerships with vendors that can provide instructional supplies at a reduced or no cost to the College. (i.e. utilizing scrap metal from a salvage yard to offset increased material costs to our welding program);
- Implemented energy conservation methods to reduce our yearly energy consumption and costs;
- Implemented a facility use policy to recoup costs associated with external use of our facilities;
- Moved to a staggered 4/10 work day in the summer to reduce personal employee cost;
- Through the programs we offer, we repair and repurpose college and newly acquired equipment to reduce institutional costs to the general fund (i.e. purchase old equipment that needs repair at a reduced rate);
- Leverage personnel, processes, and functions of the University of Montana – Missoula to offset needed materials and services (financial benefit of approximately .5 million each year);
- Fixtures and furnishings are often purchased through state surplus or donated to the College and repurposed by the institution;

A final note; other than some **very minor** things that we can do to reduce cost and still maintain educational services at our past and present growth rate, the next round of cuts will be to viable programs that will severely impact the integrity and quality to an individual's higher education.

502

SECTION E – OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION/MONTANA UNIVERSITY SYSTEM

Figure 1

S102 Commissioner Of Higher Education Legislative Budget Comparison Table						All Programs		
Federal Stimulus Budget Version Budget Item	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Operating Expenses	-	-	1,000,000	1,000,000	-	2,000,000	2,000,000	0.0%
Local Assistance	-	-	606,189	671,586	-	1,277,775	1,277,775	0.0%
Grants	-	-	450,000	450,000	-	900,000	900,000	0.0%
Transfers	-	-	49,076,457	50,074,019	-	99,150,476	99,150,476	0.0%
Total Costs	-	-	51,132,646	52,195,605	-	103,328,251	103,328,251	0.0%
General Fund	-	-	-	-	-	-	-	0.0%
Federal Spec. Rev. Funds	-	-	51,132,646	52,195,605	-	103,328,251	103,328,251	0.0%
Total Funds	-	-	51,132,646	52,195,605	-	103,328,251	103,328,251	0.0%

Agency Narrative

HB 645 adds \$103.3 million of federal authority to the Office of the Commissioner of Higher Education/Montana University System (OCHE/MUS) needed to spend state fiscal stabilization funds from the American Recovery and Reinvestment Act of 2009 (ARRA). Language in HB 645 removes \$89.2 million general fund from the 2011 biennium base budget of the MUS educational units in HB 2. Overall, the bill provides a net \$14.1 million increase in total funds for the education and general expenditures of the Montana University System and the community colleges, and other programs in the Office of the Commissioner of Higher Education.

Purpose of Funds

The State Fiscal Stabilization Fund (SFSF) is included in Title XIV of the ARRA. The purpose of the SFSF is to help stabilize state and local government budgets in order to minimize and avoid reductions in education and other essential public services. The federal intent of the SFSF was to help ensure that local education agencies and publicly funded institutions of higher education have the resources to avoid reductions and retain teachers and professors. The fund was also intended to provide governors with resources to support public safety and other government services.

Statutory Changes

HB 645 amends 17-7-102, MCA to include the general fund and state special revenue funds that were reduced in HB 2 by language in HB 645 in the base budget for the biennium beginning July 1, 2011. This statutory change holds the Montana University System 2013 biennium budget harmless from the approximate \$45 million annual general fund/federal fund swap included in HB 645 in the 2011 biennium.

Conditions and Limitations

The total amount of funding in the SFSF that is allocated to Montana is \$148,689,793. The SFSF is split into two funds:

1. The Education Fund, which is allocated 81.8 percent of the \$148.7 million, or \$121.6 million, and must be spent on education (K-12 or higher education)
 - a. Section 39, Section E of HB 645 allocates \$103.3 million of the \$121.6 million to the MUS for education and general expenditures
 - b. Section 39, Section F of HB 645 allocates the remaining \$18.3 million of the \$121.6 million to the MUS for renovation and repair of higher education facilities
2. The Other Government Services Fund, which is allocated 18.2 percent of the \$148.7 million, or \$26.8 million, and may be spent for public safety and other government services, which may include education. Section 39 of HB 645 allocates the \$26.8 million as follows:
 - a. Section A allocates \$1.6 million for Tribal economic development and \$8.0 million for new worker training (Department of Commerce)
 - b. Section B allocates \$2.0 million for county health grants for asbestos (Department of Public Health and Human Services)
 - c. Section F allocates \$15.5 million for state facilities infrastructure renovation and repair (Long Range Building Program)

The Governor must make application for these funds. As part of its application, the Governor must provide five assurances. These assurances are related primarily to K-12 and are listed in the Office of Public Instruction narrative. However, one of those assurances, maintenance of effort, applies to the Montana University System as well as K-12.

The ARRA specifies that higher education institutions that receive SFSF funds shall use the funds for education and general expenditures (general operating budget), and in such a way as to mitigate the need to raise tuition and fees for in-state students; or for modernization, renovation, or repair of higher education facilities. Funds awarded to institutions of higher education may not be used for maintenance, for athletics or other public facilities, or to increase its endowment.

The ARRA requires that states receiving stabilization funds report the following annually to the U.S. Department of Education:

1. How the funds were used within the state
2. The distribution of funds received
3. The number of jobs saved or created
4. Tax increases averted
5. The state's progress in
 - a. reducing inequities in the distribution of highly-qualified teachers
 - b. developing a longitudinal data system
 - c. implementing valid assessments
6. Actions taken to limit tuition and fee increases at public institutions of higher education
7. The extent to which public institutions of higher education maintained, increased, or decreased enrollments of in-state students

SECTION E – OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION/MONTANA UNIVERSITY SYSTEM

Figure 2

5102 Commissioner Of Higher Education				All Programs		
Legislative Budget	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds
Decision Package	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00101 Maintain Support for Higher Education	-	-	-	44,076,457	45,074,019	89,150,476
NP00102 Tuition Mitigation for Resident Students	-	-	-	5,000,000	5,000,000	10,000,000
NP00108 Distance Learning & Integrated Enrollment	-	-	-	1,000,000	1,000,000	2,000,000
NP00110 Reinstate Dec. 15th Community College funding	-	-	-	606,189	671,586	1,277,775
NP00111 Reinstate Tribal Assistance Funding	-	-	-	450,000	450,000	900,000
New Proposal Total	-	-	-	51,132,646	52,195,605	103,328,251
Total All Decision Packages	-	-	-	51,132,646	52,195,605	103,328,251

Decision Package Narrative

NP 101 – Maintain Support for Higher Education – The bill adds \$44.1 million and \$45.1 million of SFSF funds in FY 2010 and FY 2011, respectively, to the Appropriation Distribution Program (MUS educational units) in the Office of the Commissioner of Higher Education. The bill also includes language that reduces general fund in the Appropriation Distribution Program (MUS educational units) in HB 2 by a like amount. The impact of this decision package and the related language is a one-time funding switch of federal stimulus funds for a like amount of state general fund for the 2011 biennium. There is no expenditure increase or decrease in this funding switch.

NP 102 – Tuition Mitigation for Resident Students – This bill adds \$10.0 million of one-time-only SFSF funds in the 2011 biennium for resident student tuition mitigation at the Montana University System and the community colleges. There is language in the bill that conditions the appropriation by making the appropriation contingent upon no tuition increases at any MUS educational units or the community colleges.

NP 108 – Distance Learning & Integrated Enrollment – This bill adds \$1.0 million of one-time-only SFSF funds in each year of the 2011 biennium for a new initiative addressing access and affordability of two year colleges, the Distance Learning & Integrated Enrollment project. The funding would be used to centralize distance offerings courses into a single, unified, web-based student enrollment system for admissions and financial assistance and to coordinate with the State Superintendent of Public Instruction to create at least five early college degree programs in a Montana Big Sky Career Pathway for high school students to have access to college courses to achieve a high school diploma and associates degree in five years.

NP 110 – Reinstate Dec. 15th Community College Funding – This bill adds \$1.3 million of one-time-only SFSF funds to the Community Colleges that would reinstate the level of funding recommended in the Governor's December 15th executive budget.

NP 111 – Reinstate Tribal Assistance Funding – The bill adds \$900,000 of one-time-only SFSF funding for the Tribal College Assistance Program for non-beneficiary students.

Alternatives and Policy Options

Although HB 645 includes an additional \$10.0 million from the SFSF in the 2011 biennium for resident student tuition mitigation at the higher education institutions, and language makes the \$10.0 million contingent upon no tuition increase in the 2011 biennium, the amount of funding contained in HB 645 and HB 2 may be insufficient to continue the College Affordability Plan (CAP) at the MUS educational units and implement a CAP at the community colleges. The figure below presents an estimate of the amount needed for a CAP program at the higher education institutions in the 2011 biennium compared to the funding currently available in HB 2 and proposed in HB 645. As shown in the figure, the estimated funding gap to continue the CAP at the MUS educational units and implement a CAP at the community colleges is approximately \$16.0 million for the 2011 biennium.

Several assumptions were used in the calculation of this estimate; these are noted at the bottom of the figure below. Changing the assumptions will impact the calculation of the estimated funding gap.

Estimated Funding Gap for College Affordability Plan in 2011 Biennium Montana University System and Community Colleges			
Item	MUS Ed Units	CC	Total
<u>State Funding Needed for CAP in 2011 Biennium</u>			
Dec 15 Executive Budget	\$308,168,253	\$18,738,712	\$326,906,965
Additional Needed for CAP (see note 3,4, & 6)	20,635,049	1,009,047	21,644,096
Total Needed for CAP	\$328,803,302	\$19,747,759	\$348,551,061
Legislative Appropriations			
HB 2 - Current Legislative Appropriation	\$303,857,736	\$17,460,937	\$321,318,673
HB 645 - Proposed Appropriation CC	0	1,277,775	1,277,775
HB 645 - Proposed Appropriation Tuition Mitigation	8,990,953	1,009,047	10,000,000
Total Legislative Appropriations	<u>\$312,848,689</u>	<u>\$19,747,759</u>	<u>\$332,596,448</u>
Funding Gap	<u>(\$15,954,613)</u>	<u>\$0</u>	<u>(\$15,954,613)</u>
<u>The above table reflects the following:</u>			
1. Excludes Costs/funding for pay plan			
2. Cost estimates based upon assumptions used in OBPP/MUS Technical Work Group, Fall 2008			
3. Add'l needed for CAP at MUS uses State Percent Share at 85 percent, based upon resident & WUE student enrollment			
4. Add'l needed for CAP at CC's is CC estimate and is not verified			
5. Proposed tuition mitigation allocated to CCs first			
6. Excludes any expenditure reduction that may be considered by Board of Regents or CC Local Boards			

Section E – Office of Public Instruction

Figure 1

3501 Office Of Public Instruction Legislative Budget Comparison Table							All Programs	
Federal Stimulus Budget Version A Budget Item	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Personal Services	-	-	-	-	-	-	-	0.0%
Operating Expenses	-	-	1,864,434	-	-	1,864,434	1,864,434	0.0%
Local Assistance	-	-	83,798,405	-	-	83,798,405	83,798,405	0.0%
Total Costs	-	-	85,662,839	-	-	85,662,839	85,662,839	0.0%
General Fund	-	-	-	-	-	-	-	0.0%
Federal Spec. Rev. Funds	-	-	85,662,839	-	-	85,662,839	85,662,839	0.0%
Total Funds	-	-	85,662,839	-	-	85,662,839	85,662,839	0.0%

Agency Narrative

The Office of Public Instruction (OPI) receives federal appropriations of \$85.7 million to support services to at-risk or disadvantaged students and special education services for children identified as having a disability which requires educational accommodations to assist in the child's learning.

Purpose of Funds

According to the federal Department of Education, included in the American Recovery and Reinvestment Act of 2009 (ARRA) are funds that should be used to improve student achievement, close the achievement gap, help students from various backgrounds achieve high standards, and address four specific areas:

- 1) Making progress toward rigorous college and career-ready standards and high-quality assessments that are valid and reliable for all students, including English language learners and students with disabilities
- 2) Establishing pre-K to college and career data systems that track progress and foster continuous improvement
- 3) Making improvements in teacher effectiveness and in the equitable distribution of qualified teachers for all students, particularly students who are most in need
- 4) Providing intensive support and effective interventions for the lowest-performing schools

The Department of Education recommends the funds be used to make short-term investments with the potential for long-term benefits, rather than making ongoing commitments that are not sustainable once the recovery funds are expended. Included in examples of allowable uses of recovery funds are:

1. Establish a system for identifying and training highly effective teachers to serve as instructional leaders in Title I school-wide programs and modify the school schedule to allow for collaboration among the instructional staff
2. Establish an intensive, year-long teacher training for all teachers and the principal in Title I elementary schools in restructuring status in order to train teachers to use new reading curriculum that aggressively works on improving students' oral language skills and vocabulary
3. Provide new opportunities for Title I school-wide programs for secondary school students to use high-quality online courseware as supplemental learning materials for meeting mathematics and science requirements

cut

4. Use longitudinal data systems to drive continuous improvement efforts focused on improvement to Title I schools
5. Provide professional development to teachers in Title I schools targeted assistance programs
6. Use reading or mathematics coaches to provide professional development to teachers in Title I targeted assistance programs
7. Establish fiscally sustainable extended learning opportunities for Title I-A eligible students in targeted assistance programs, including activities provided before school, after school, during the summer, or over an extended school year.

Statutory Changes

HB 645 does not contain any specific statutory changes for OPI or school funding formulas related to K-12 public education.

Conditions and Limitations

In the bill enhanced federal appropriations of \$34.65 million for Title I, Part A programs are included for at-risk students. Approximately \$17.325 million of the funds will be released by the federal Department of Education to Montana without application before the end of March 2009. The remaining \$17.325 million will be made available between July 1 and September 30, 2009 if Montana submits an approvable application for the Title I funds.

The state is required by the Department of Education to reserve 4 percent or \$1.386 million of Title I, Part A funds for school improvement activities. At least 95 percent of the funds reserved for school improvements must be allocated to local school districts.

With prior approval from the Secretary of Education, Montana local school districts can include any funds they receive from the State Fiscal Stabilization Fund (SFSF) for the purposes of determining maintenance of effort requirements for the Title I, Part A funds contained in this bill. However, because the bill does not contain SFSF funds for distribution by OPI this option is not available to local school districts. Maintenance of effort requirements for Title I, Part A require that local school districts spend not less than 90 percent from state and local sources when comparing the two previous fiscal years. Local school districts must use the funds to supplement their efforts not to supplant state or local funds. Districts must also meet comparability requirements under the Title I, Part A.

73 percent of local school districts currently receive Title I, Part A funds which are distributed based on four separate formulas. The enhanced federal appropriations are to be distributed based on two of the four formulas. Currently 67 percent of districts receive two of the four formula grants – targeted and incentive grants.

The bill includes \$35.5 million in enhanced federal appropriations for IDEA, Part B programs. IDEA funds support services to students with a disability. The Department of Education will also release \$17.75 million in IDEA, Part B funds to Montana without requiring an application before the end of March 2009. The remaining \$17.325 million will be made available before October 1, 2009 if Montana submits an approvable application for the IDEA funds.

IDEA, Part B funds are available only for the excess costs of providing special education and related services to children with disabilities. Local school districts may reduce the level of state and local expenditures by up to 50 percent of the additional federal funds they receive through the IDEA, Part B program as long as the freed-up funds are used for activities supported under the Elementary and Secondary Education Act. The Department of Education recommends local school districts use the freed up local funds to make progress on the goals of the SFSF and requires states to report on the uses of the freed up funds.

With prior approval from the Secretary of Education, Montana local school districts can include any funds they receive from the State Fiscal Stabilization Fund (SFSF) for the purposes of determining maintenance of effort requirements for the IDEA, Part B funds contained in this bill. However, because the bill does not contain SFSF funds for distribution by OPI this option is not available to local school districts. Supplement not supplant requirements for IDEA, Part B funds require local school districts to maintain their funding levels for general education and not use IDEA, Part B funds to replace general education funds.

\$1.26 million of IDEA, Part B funds for preschoolers with disabilities ages 3 to 5 are included in the bill. The funds are subject to the same requirements as IDEA, Part B funds for school age children.

OPI also receives additional enhanced federal appropriations for Title I-School Improvement Grants of \$8.56 million in HB 645. Title I School Improvement Grants will be allocated to Montana before October 1, 2009 provided Montana submits an approvable application for the federal funds. School Improvement Grants are to be granted to local school districts in an amount of not less than \$50,000 per eligible school district. In Montana, school districts would be eligible to receive School Improvement Grants if they had failed to make adequate yearly progress under No Child Left Behind for 5 years. As of February 2009, 40 school districts would meet the requirements for the funds. Additional schools could qualify if OPI requests a change in its Elementary and Secondary Education Act (ESEA) plan as part of its application to the federal Department of Education for the remaining federal Title I-A funds.

Title II-D education technology of \$3.049 million are included in the bill. The enhanced federal appropriations are dedicated to incorporation of technology into the classrooms. These funds will also be allocated to Montana before October 1, 2009 conditioned on an approvable application. Funds must be used in accordance with the ESEA requirements and have MOE and supplement not supplant requirements.

The bill contains school nutrition appropriations of \$247,461. Funds are distributed to OPI. Local school districts can apply for competitive grants for equipment purchases to update or enhance school meal programs. Further guidance on the distribution of the grants should be forthcoming.

McKinney-Vento homeless assistance funds of \$224,000 are included in the bill. The funds are to be distributed based on applications from local school districts with homeless children attending their schools. Currently, Missoula, Helena, and Billings receive the funds. Eligible expenditures include transportation, school supplies, clothing, and salary and benefits for a school liaison to work with the homeless students.

Figure 2

3501 Office Of Public Instruction				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00500 Fed Stim School Nutrition - Equipment	-	-	-	247,461	-	247,461
NP00501 Fed Stim Title I-A	-	-	-	34,650,000	-	34,650,000
NP00502 Fed Stim IDEA Part-B (Sect 611)	-	-	-	35,472,241	-	35,472,241
NP00503 Fed Stim Title II-D Ed Technology	-	-	-	3,048,906	-	3,048,906
NP00504 Fed Stim IDEA Part-B (Sect 611) Admin	-	-	-	1,235,815	-	1,235,815
NP00505 Fed Stim Education Technology Admin	-	-	-	160,469	-	160,469
NP00506 Fed Stim Title I-A Improvement Admin	-	-	-	468,150	-	468,150
NP00507 Fed Stim Title I-A Improvement	-	-	-	8,894,850	-	8,894,850
NP00508 Fed Stim IDEA Part-B (Sect 619 Pre-Schl)	-	-	-	1,260,947	-	1,260,947
NP00509 Fed Stim McKinney-Vento (Homeless Assist)	-	-	-	224,000	-	224,000
New Proposal Total	-	-	-	85,662,839	-	85,662,839
Total All Decision Packages	-	-	-	85,662,839	-	85,662,839

Decision Package Narrative

DP00500 Fed Stim School Nutrition – Equipment – The legislature included \$247,461 in federal appropriations for grants to schools to purchase equipment for meal programs.

DP 00501 Fed Stim Title I – A – School districts receiving Title I- 1 funds in FY 2008 under the targeted and EFIG component of Title I- A are eligible to receive enhanced federal appropriations of \$34.65 million. These are included in HB 645.

DP00502 Fed Stim IDEA Part B (Sect. 611) – \$33.5 million in federal funding is provided to support services to school age children with disabilities.

DP00503 Fed Stim Title II – D Ed Technology – The legislation provides \$3.048 million in funds to incorporate technology into the classroom.

DP00504 Fed Stim IDEA Part-B (Sect 611) Admin - Administrative costs of \$1.2 million in federal funds IDEA Part B are provided.

DP00505 Fed Stim Education Technology Admin - Administrative costs of \$160,469 for the education technology funds are included in the bill.

DP00506 Fed Stim Title I A Improvement Admin - Administrative costs of \$468,150 related to Title I-A School Improvement funds are provided.

DP00507 Fed Stim Title I – A Improvement - \$8.894 million in federal funds are provided in the bill for schools who have not made adequately yearly progress under No Child Left Behind in the last 5 years. Montana e school districts are eligible to receive grants of \$50,000 each under ARRA.

DP00508 Fed Stim IDEA Part B (Sect 619 Pre-Schl) Funding to support pre-school programs for children with disabilities ages 3 to 5 is included in the bill.

DP00509 Fed Stim McKinney-Vento (Homeless Act) The legislation includes \$224,000 in federal funds to provide additional support for services to homeless school children. Montana currently has three cities with identified populations of homeless children, Helena, Missoula, and Billings.

Alternatives and Policy Options

The ARRA includes State Fiscal Stabilization Funds (SFSF) for elementary and secondary funding as well as support for higher education. 81.8 percent of the funds or \$121.6 million are allocated to Montana. In order to receive the funds Montana must maintain 2006 funding levels for both elementary and secondary education and higher education. The funds can then be used to allow existing state formula increases needed to restore state support to the higher of FY 2008 or FY 2009 for either educational system. In Montana, FY 2009 was the higher of the two years in relation to funding local school districts. If the funds needed to restore public education and higher education to FY 2008 or FY 2009 are not sufficient, the funds are to be prorated between the two educational systems. Currently HB 645 directs the entire \$121.6 million of SFSF funds to the Montana University System.

HB 645 does not contain any funding to restore elementary or secondary education to FY 2009 levels. HB 2 as adopted by the House Appropriations Committee contains two reductions to FY 2009 elementary and secondary funding formula levels:

- 1) \$5.0 million general fund each year of the 2011 biennium was reduced from the at-risk component of the school funding formula. At-risk is distributed to local school districts based on the amount of Title-I A funding the school receives
- 2) \$2.5 million general fund support over the biennium for IDEA Part B maintenance of FY 2009 effort. This funding would have ensured Montana continued to receive FY 2009 level of IDEA, Part B funds from the Department of Education

Under ARRA, the legislature could use \$12.5 million of the SFSF to restore the at-risk component and maintenance of effort for IDEA to FY 2009 levels. It should be pointed out that will these funding components were reduced the total level of state funding for public education is higher in FY 2010 and FY 2011 than in FY 2009. Redirection of the amount of education funds received from the SFSF would require an equal reduction in the funding for higher education.

The ARRA includes specific goals in relation to the expenditure of education appropriations and requires the state to report on the attainment of the goals. The legislature may wish to consider including these goals as part of the state's plan for the use of the appropriations and request measurable objectives, milestones, timelines, and expected outcomes to be used in determining OPI's and the local school districts successes with the goals. The Legislative Finance Committee meets regularly with state agency to discuss goals and performance measurements. The legislature may wish to require OPI to report on its progress on the goals to the Legislative Finance Committee workgroup on education.

Included in the ARRA is a requirement that OPI set aside 4 percent of Title I, Part A for school improvement activities. The legislature may wish to restrict 4 percent of the Title I, Part A appropriation to OPI to school improvement activities. The legislature may also wish to require that OPI establish goals, measurable objectives, milestones, timelines, and expected outcomes for the school improvement activities and report these to the Legislative Finance Committee workgroup that reviews goals and measurable objectives related to House Bill 2 appropriations during the interim.

The legislature may wish to request that OPI include reports on the amount of freed up local funds each school district generates from the additional receipt of IDEA, Part B, any reduction in local or state support that resulted in future periods from the decrease in the maintenance of effort required for IDEA, Part B, the uses of the freed up funds, and the results of expending the funds on one-time expenditures to the Legislative Finance Committee workgroups that review goals and measurable objectives related to House Bill 2 appropriations during the interim.

This would allow the workgroup to determine the impact of the freed up funds on maintenance of effort requirements for IDEA, Part B in the ongoing biennia and consider the ramifications to the local school district general fund budget.

Additional schools may be eligible to receive Title I –A School Improvement grants of \$50,000 if Montana changes its eligibility requirements in its submission for the Title I-A funds. The legislature may wish a report from OPI on the changes to eligibility for Title I –A School Improvement requirements, the number of additional schools eligible if the changes are made and the ongoing results of changing the eligibility requirements.

EXHIBIT 13

DATE 3/12/09

48 645

SECTION F - LONG-RANGE PLANNING

Figure 1

9999 Summary Agency						All Programs		
Legislative Budget Comparison Table								
Federal Stimulus Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Operating Expenses	-	-	-	-	-	-	-	0.0%
Capital Outlay	-	-	3,000,000	3,000,000	-	6,000,000	6,000,000	0.0%
Local Assistance	-	-	-	-	-	-	-	0.0%
Transfers	-	-	80,804,600	80,804,600	-	161,609,200	161,609,200	0.0%
Total Costs	-	-	83,804,600	83,804,600	-	167,609,200	167,609,200	0.0%
General Fund	-	-	54,975,686	54,975,686	-	109,951,372	109,951,372	0.0%
Federal Spec. Rev. Funds	-	-	28,828,914	28,828,914	-	57,657,828	57,657,828	0.0%
Total Funds	-	-	83,804,600	83,804,600	-	167,609,200	167,609,200	0.0%

Agency Narrative

Long-Range Planning programs include new funding requests of \$167.6 million for the biennium. The new requests consist of \$110.0 million of freed up general funds and \$57.7 million of federal special revenue from Montana's receipt of American Recovery and Reinvestment Act of 2009 (ARRA) funds.

Purpose of Funds

The purpose for the funding is to replace general fund for one-time transfers that fund long-range projects and increase the number of projects that can be completed using general funds freed up and federal funds made available through ARRA.

Statutory Changes

No statutory changes are anticipated in association with the funding for LRP programs.

Conditions and Limitations

In general, all proposals funded with either federal stabilization funds, federal energy funds, or general funds freed up through ARRA must be tracked for compliance as required in the reporting requirements of the ARRA and by administering federal agencies.

Long-Range Building Program (LRBP)

The main funding source for LRBP proposals is federal stabilization funds. Projects funded with ARRA funds are not subject to "shovel ready" provisions, but the projects will be required to follow the provisions of the Davis-Bacon, federal prevailing wage law, and will need to use U.S. steel products. The ARRA requires that funds that are not subgranted or otherwise committed within two years must be returned to the Secretary of Education to be reallocated. As a result, it would be advisable that LRBP projects funded with stabilization funds be committed in the next two years.

State Building Energy Conservation Program (SBECP)

SBECP projects funded with ARRA funds must be energy projects expended in existing programs, and the Department of Energy must approve the use of the funds. Projects must be awarded within 18 months and completed within 36 months.

Long-Range Information Technology Program (LRITP)

There are no conditions or limitations on the new proposals for the LRITP.

Treasure State Endowment Program (TSEP) and TSEP Regional Water (TSEPRW)

There are no direct conditions or limitations associated with the new proposals for the TSEP or TSEPRW, however should local governments receiving TSEP grants also receive other sources of federal funding originating in the ARRA, the projects will be required to comply with the Davis-Bacon Act and will need to use US steel products in their projects and may be required to comply with shovel ready time constraints.

Renewable Resource Grant and Loan Program (RRGL) and Reclamation and Development Grant Program (RDGP)

There are no direct conditions or limitations associated with the new proposals for the RRGL or RDGP, however should local governments receiving RRGL or RDGP grants also receive other sources of federal funding originating in the ARRA, the projects will be required to comply with the Davis-Bacon Act and will need to use US steel products in their projects and may be required to comply with shovel ready time constraints.

Quality School Facility Program (QSFP)

There are no conditions or limitations on the new proposals for the QSFP.

Figure 2

9999 Summary Agency				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP01101 Transfer from GF into Stimulus GF	3,000,000	3,000,000	6,000,000	3,000,000	3,000,000	6,000,000
NP01101 Transfer in to TSEP Stimulus GF	10,250,000	10,250,000	20,500,000	10,250,000	10,250,000	20,500,000
NP01104 Regional Water System	4,000,000	4,000,000	8,000,000	4,000,000	4,000,000	8,000,000
NP02001 SOS Information Management System	2,750,000	2,750,000	5,500,000	2,750,000	2,750,000	5,500,000
NP02002 Replace HB 10 General Fund Transfer	3,433,100	3,433,100	6,866,200	3,433,100	3,433,100	6,866,200
NP02015 Replace Dec 15 Gf with Stimulus GF	1,500,000	1,500,000	3,000,000	1,500,000	1,500,000	3,000,000
NP05001 Replace December 15 general fund with federal fund	-	-	-	2,600,000	2,600,000	5,200,000
NP05007 Access MT	3,000,000	3,000,000	6,000,000	3,000,000	3,000,000	6,000,000
NP05011 Add federal allocation for remaining energy funds	-	-	-	11,944,000	11,944,000	23,888,000
NP05012 Additional transfer for LRBP state projects	542,586	542,586	1,085,172	542,586	542,586	1,085,172
NP05014 Fund LRBP Projects with Stabilization Funds	-	-	-	14,284,914	14,284,914	28,569,828
NP05015 Ruby Dam	1,000,000	1,000,000	2,000,000	1,000,000	1,000,000	2,000,000
NP06001 Transfer into the RRGL stimulus GF	1,750,000	1,750,000	3,500,000	1,750,000	1,750,000	3,500,000
NP07001 Transfer into RDGL Stimulus GF	500,000	500,000	1,000,000	500,000	500,000	1,000,000
NP09901 Transfer of Stim GF to HB 152 Sch Facility Acct	21,500,000	21,500,000	43,000,000	21,500,000	21,500,000	43,000,000
NP09902 HB 213 SW Vet's Home transfer of Stim GF	1,750,000	1,750,000	3,500,000	1,750,000	1,750,000	3,500,000
New Proposal Total	54,975,686	54,975,686	109,951,372	83,804,600	83,804,600	167,609,200
Total All Decision Packages	54,975,686	54,975,686	109,951,372	83,804,600	83,804,600	167,609,200

Decision Package Narrative

NP01101 Transfer from GF to Stimulus GF – This proposal replaces general fund OTO appropriations of a biennium total of \$6 million in HB 10 with appropriations from general funds freed up through AARA. The projects include the ESSC equipment and moving expenses, \$3.5 million/biennium, interoperability Montana, \$2.0 million/biennium, and child support computer system, \$0.5 million/biennium. The projects will be appropriated in HB 10.

NP01101 Transfer in to TSEP Stimulus GF – An OTO biennium total of \$20.5 million, from general funds freed up through ARRA, is proposed to be transferred to the Treasure State Endowment Program (TSEP). The proposal would fund grants authorized for the 2009 biennium and provide funding to extend the number of TSEP recommended grants funded in the 2011 biennium. The funds will be appropriated in HB 11.

NP01104 Regional Water System – This proposal provides transfers of a total \$8.0 million in the 2011 biennium of OTO general funds freed up through ARRA for the Treasure State Endowment Regional Water Program. These funds would be used as the state match for federal funding of large regional water systems. The funds will be appropriated in HB 11.

NP02001 SOS Information Management System – This proposal would transfer \$2.75 million in each FY 2010 and FY 2011 from OTO general fund freed up through ARRA to a LRITP capital projects fund for the build out of the Secretary of State (SOS) information management system. These funds will be appropriated in HB 10.

NP02002 Replace HB 10 General Fund Transfer – This proposal replaces general fund OTO transfers of a biennium total of \$6.9 million in HB 10, the LRITP bill, with an OTO transfer from general funds freed up through ARRA. The transfer would fund the states share of the Medicaid management information system, \$3.5/biennium for the Department of Public Health and Human services, and the improving efficiency through

technology project, \$3.4 million/biennium for the Department of Revenue. The project appropriations will be included in HB 10.

NP02015 Replace Dec 15 GF with Stimulus GF - This proposal replaces biennial transfers of \$3.0 million of OTO general funds to the State Building Energy Conservation Program (SBECP) with general funds freed up through ARRA. From these funds, \$1.5 million would be transferred to the SBECP state special revenue account to fund the administrative expenses of the program and \$1.5 million would be transferred to the SBECP capital projects fund to be used for energy conservation projects. The original proposal, included in HB 5 (the Long-Range Building Program (LRBP) bill), contained OTO general fund transfers of a total \$14.9 million. Consequently, this proposal represents a net \$11.9 million in freed up general fund savings. The remainder of the SBECP 2011 biennium projects will be funded with federal energy funds. The project appropriations will be included in HB 5.

NP05001 Replace December 15 General Fund with Federal Funds - This proposal is an allocation of a total \$5.2 million of federal special revenue funds that replaces biennial transfers of \$5.2 million of OTO general fund to the Long-Range Building Program (LRBP) capital projects fund. The funds are available through the federal stabilization component of ARRA. This proposal will enhance the ability for the LRBP to make upgrades and improvements to state buildings. The original proposal, included in HB 5 (the LRBP bill), contained OTO general fund transfers of a total \$5.2 million. Consequently, this proposal represents \$5.2 million in freed up general fund savings. The project appropriations will be included in HB 5.

NP05007 Access Montana - This proposal replaces \$2.0 million of general fund OTO support of the FWP Access Montana project and replaces the funding with a biennial total of \$6.0 million from general funds freed up by ARRA. The funds would be used to acquire lands that allow access to Montana waterways. The funds will be appropriated in HB 5.

NP05011 Add Federal Allocation for Remaining Energy Funds - This proposal allocates \$23.9 million of federal energy funds, \$11.9 million in FY 2010 and FY 2011, through ARRA. The allocation replaces biennial transfers of OTO general fund to the SBECP. The funds would enhance the funding for energy conservation improvements in state buildings and community colleges. Energy projects included in the allocation include \$9.7 million to the Montana university system for energy projects and \$1 million for community colleges. The funds will be appropriated in HB 5.

NP05012 Additional Transfer for LRBP State Projects - This proposal transfers an additional \$1.1 million for the 2011 biennium of OTO general funds freed up through ARRA. This proposal will enhance the ability for the LRBP to make upgrades and improvements to state buildings. The project appropriations will be included in HB 5.

NP05014 Fund LRBP Projects with Stabilization Fund - This proposal allocates \$28.6 million of federal special revenue funds, \$14.3 million in FY 2010 and FY 2011, through ARRA federal stabilization funds. This proposal will enhance the ability for the LRBP to make upgrades and improvements to state buildings. Specific improvement projects include \$6 million to complete the adaptive renovations, deferred maintenance, life safety, ADA code compliance, and historic restoration project of Main Hall on the University of Montana, Western campus in Dillon. Additionally, \$12.3 million of these funds would be used on projects contained in the University systems list of \$22.0 million of deferred maintenance and energy improvement projects. The funds will be appropriated in HB 5.

NP0515 Ruby Dam - This proposal would transfer \$2.0 million of OTO general funds freed up through ARRA, \$1 million in each FY 2010 and FY 2011. The funds would be transferred to the hydroelectric power generation

state special revenue account for the purpose of repairs to the Ruby Dam. The funds will be appropriated in HB 5.

NP06001 Transfer into the RRGL stimulus GF – This proposal would transfer \$1.75 million in FY 2010 and FY 2011 of OTO general funds freed up through ARRA to the Department of Natural Resource and Conservation natural resource projects account. The funds would be used to fund additional renewable resource water project grants. The funds will be appropriated in HB 6.

NP07001 Transfer into the RRGL stimulus GF – This proposal would transfer \$0.5 million in FY 2010 and FY 2011 of OTO general funds freed up through ARRA to the Department of Natural Resource and Conservation natural resource projects account. The funds would be used to fund additional reclamation and development grants. The funds will be appropriated in HB 7.

NP09901 Transfer of Stim GF to HB 152 Sch Facility – This proposal would transfer a total of \$43.0 million, \$21.5 million in FY 2010 and FY 2011, of OTO general funds freed up through ARRA to the Department of Commerce. The funds would be used for K-12 facility upgrades, maintenance, and energy improvements.

NP09902 HB 213 SW Vet's Home Transfer of Stim GF – This proposal would transfer a total of \$3.5 million, \$1.75 million in FY 2010 and FY 2011, of OTO general funds freed up through ARRA to a state special revenue account as created in HB 213. The funds would be used for site selection and to begin construction of a new state veterans' home at a site in Beaverhead, Deer Lodge, Jefferson, Madison, Powell, or Silver Bow County. The funds will be appropriated in HB 5.

Alternatives and Policy Options

Long-Range Building Program (LRBP)

The proposals for the LRBP generally fund projects with federal "stabilization" funds. There is no requirement related to the use of stabilization funds. Consequently, the legislature could choose to use the stabilization funds for other "capital projects". If the legislature chose, the transfers to HB 5 could be reduced or eliminated and the stabilization funds could be used to fund other, preferably OTO projects.

Quality School Facility Program (QSFP)

The QSFP proposal is inconsistent with the method used to provide funding to LRP programs. In HB 645, section F, funds are transferred to the Department of Commerce, schools facilities improvement account, for the purposes of the QSFP, being established in HB 152. In HB 645, section A, the funds are appropriated from the schools facilities improvement account. To be consistent in approach to funding other LRP programs, the freed up OTO general funds would have been transferred to the school facilities improvement account and amendments would have been made for the appropriations of the state special revenue account in HB 152. This lack of consistency has the potential of creating a double counting of the funds, as the funds will be counted once as a transfer and once as an appropriation.

The proposal for the QSFP would transfer \$43 million in freed up general fund to the Department of Commerce for K-12 school upgrades and energy improvements. The QSFP has not yet been developed, and it is expected that the program will not be ready to distribute funds for school improvements until late in the 2011 biennium. The legislature may wish to consider another method of distribution of these funds that will provide a more immediate distribution of the funds.

Other LRP Proposals

The general method of providing new funding for the Long-Range Planning (LRP) programs is through transfers into the individual programs. The funds are then appropriated in the bill designated for the programs. In most cases, except the proposals related to the SBECF (in which the federal funds are specifically designated for state energy projects by the federal government), transfers could be changed or eliminated and new transfers and appropriations could be developed for other, preferably one-time, projects.

S:\COMMON\2011_HB2\Stimulus_Narrative\Section_F\LRP Stimulus Narrative.doc

Figure 1

Federal Stimulus Funds
Total Montana Impact
FY 2009 through FY 2011

Funds	2011 Biennium
<u>House Bill 645</u>	
Total Federal Funds in HB 645	\$1,073,081,319
Minus Medicaid Caseload Spike	<u>(202,467,190)</u>
Total HB 645	\$870,614,129
<u>Other State Stimulus Funds</u>	
Additional Unemployment Insurance	<u>207,129,149</u>
Total Federal Funds from Stimulus in State Budget	\$1,077,743,278
Estimated Tax Relief Provisions for Montanans*	<u>575,713,000</u>
Total State Impact	<u>\$1,653,456,278</u>

*Source: Montana Department of Revenue



Figure 2

Federal Stimulus Funds
HB 645 Plus Unemployment Insurance*

Area/Purpose	Biennium	Area/Purpose	Biennium
Education		Infrastructure	
IDEA Pgm 6	1,235,815	Community Development Block Grant	1,829,878
Title IA - Improvement Pgm 6 FY09	468,150	Housing Credit Exchange	30,778,500
Title IID Technology Pgm 6 FY09	160,469	Tribal Economic Development	1,596,992
School Lunch Equipment	247,461	State Energy Programs	8,712,000
Title I	34,650,000	Energy Efficiency Block Grant	7,577,000
IDEA	35,472,241	Drinking Water SRF Admin	702,073
Education Technology FY 09	3,048,906	Clean Water SRF Admin	689,862
Title IA Improvement FY09	8,894,850	Water Quality Grant	193,886
IDEA Pt B Preschool 11B	1,260,947	Drinking Water SRF Admin	1,142,354
McKinney Vento Homeless Assistance 11B	224,000	Highways	220,000,000
Distance Learning	2,000,000	Transit Formula	15,611,710
Community College Assistance	1,277,775	Drinking Water SRF	150,852
Tuition Mitigation for Resident Students	10,000,000	Drinking Water SRF	10,530,000
Stabilization Funding	89,150,476	Clean Water SRF	10,405,146
Tribal College Assistance	900,000	LRBP Energy Conservation Improvements	14,188,000
Subtotal	\$188,991,090	MUS Energy Conservation Improvements	9,700,000
		LRBP Allocation	15,469,828
		MUS Energy Conservation Improvements	12,300,000
		UMWestern Main Hall	6,000,000
		Subtotal	\$367,578,081
Persons Most Impacted by the Recession		Other	
WIA Adult	1,246,876	Tax Credit Assistance	7,818,360
WIA Youth	2,947,501	Spec Transfer for Unemployment Comp Modernization	495,019
WIA Dislocated	1,728,008	Spec Transfer in Fed FY 2009 for Admin	1,394,696
Employment Services	1,104,669	Americorps	500,000
Community Service Employment for Older Americans	147,000	Various Army National Guard	1,279,568
Temporary Extension of TAA	1,603,656	Community Services Block Grant 09	1,692,000
Reemployment Services for UI Claimants	1,841,114	Community Services Block Grant 11B	2,820,000
Extend Emergency Unemployment Comp Pgm	1,968,103	VISTA	100,000
Temporary Extension of TAA	186,827	Prevention and Wellness Fund 11B	4,200,000
Increase Unemployment Compensation Program	190,628	County Health Grants Asbestos 11B	2,000,000
TANF Emergency 09	1,765,870	Aging Services	500,000
TANF Emergency 11B	3,824,331	Diesel Emissions Reduction Act Grant	1,700,000
SNAP 09	5,983,625	LUST	2,000,000
SNAP 11B	42,918,656	USFS State and Private Forestry Assistance	5,000,000
Food Distribution on Reservation 09	69,300	Subtotal	\$31,499,643
Food Distribution on Reservation 11B	84,700		
Emergency Food Assistance 09	32,750		
Emergency Food Assistance 11B	54,583		
Weatherization 09	3,382,460		
Weatherization 11B	23,677,221		
Homeless Prevention/Emergency Food & Shelter 09	187,500		
Homeless Prevention/Emergency Food & Shelter 11B	3,562,500		
WIC 11B	1,483,000		
IDEA Infants and Families 11B	2,139,843		
Vocational Rehabilitation State Grants 11B	2,315,737		
Child Care Development Block Grant 09	718,736		
Child Care Development Block Grant 11 B	5,028,630		
New Worker Training	7,994,722		
Unemployment Insurance Enhancements	207,129,149		
Subtotal	\$325,317,695		
		Stabilize State Budgets	
		FMAP 09	53,000,000
		FMAP 11B	102,000,000
		CSED Temporarily Restore Fed Matching Funds 09	1,646,914
		CSED Temporarily Restore Fed Matching Funds 11B	2,659,411
		Subtotal	\$159,306,325
		Total All Categories	
			\$1,077,743,278
Public Safety			
Byrne/JAG	3,165,819		
Crime Victims	564,000		
Crimes Against Women	916,955		
Internet Crimes Against Children	403,670		
Subtotal	\$5,050,444		

520



Figure 3

Fiscal Stabilization Funds
HB 645 as Introduced
2011 Biennium

Department/Purpose	<i>Other Government Services Fund</i>		
Department of Commerce			
New Worker Training	3,997,361	3,997,361	7,994,722
Tribal Economic Development	798,496	798,496	1,596,992
Department of Public Health & Human Services			
County Health Grants Asbestos 11B	1,000,000	1,000,000	2,000,000
Long Range Planning			
LRBP HB 5			
LRBP Allocation	7,734,914	7,734,914	15,469,828
Subtotal - Other Government Services	13,530,771	13,530,771	27,061,542
Department/Purpose	<i>Education Fund</i>		
Higher Education			
Distance Learning	1,000,000	1,000,000	2,000,000
Community College Assistance	606,189	671,586	1,277,775
Tuition Mitigation for Resident Students	5,000,000	5,000,000	10,000,000
Stabilization Funding**	44,076,457	45,074,019	89,150,476
Tribal College Assistance	450,000	450,000	900,000
Subtotal - Section E	51,132,646	52,195,605	103,328,251
Long Range Planning			
LRBP HB 5			
MUS Energy Conservation Improvements	6,150,000	6,150,000	12,300,000
UMWestern Main Hall	3,000,000	3,000,000	6,000,000
Subtotal - Section F	9,150,000	9,150,000	18,300,000
Subtotal - Section E & F	60,282,646	61,345,605	121,628,251
Grand Total State Fiscal Stabilization Funds	<u>\$73,813,417</u>	<u>\$74,876,376</u>	<u>\$148,689,793</u>

**Frees up general fund.



Figure 4

Sources of Freed-Up General Fund
HB 645 as Introduced

Source	Total
Appropriated Funds	
DPHHS	
Human and Community Services Division	\$2,043,882
Child Support Enforcement Division	4,306,325
FMAP Increase - Health Resources Division	155,000,000
Higher Education	-
Appropriation Distribution Transfers*	<u>89,150,476</u>
Total General Fund Freed-Up from Appropriations	\$250,500,683
Amount Appropriated in HB 645	247,264,947
Total Unappropriated	3,235,736
Unallocated Appropriated	
FMAP Increase - Institutional Reimburse.**	<u>3,207,224</u>
Total Unallocated Additional General Fund	<u>\$6,442,960</u>

*Fiscal stabilization funds.

**LFD estimate. HB 645 includes \$3,000,000.

Figure 5

General Fund
HB 645 as Introduced

Agency/Purpose	FY 2010	FY 2011	Biennium
<u>Governor's Office</u>			
Pay Plan Contingency	\$4,000,000		\$4,000,000
Pay Plan Training	75,000		75,000
Pay Plan OTO Payment	3,065,451		3,065,451
<u>DofA</u>			
Teacher's Retirement	21,500,000	21,500,000	43,000,000
High Performance Computing	1,000,000	1,000,000	2,000,000
<u>Commerce</u>			
Main Street	125,000	125,000	250,000
Distressed Wood Products	3,752,548	3,747,452	7,500,000
Energy Promotion Division	455,000	455,000	910,000
Broadband Matching Grants	2,500,871	2,499,129	5,000,000
<u>DPHHS</u>			
Health Information Technology	375,000	375,000	750,000
Medicaid Caseload	25,000,000	35,000,000	60,000,000
<u>DEQ</u>			
Enforcement Division Admin	32,481	66,873	99,354
Permitting and Compliance Div Admin	359,794	367,918	727,712
Permitting and Compliance Div Admin 09	101,500		101,500
<u>DNRC</u>			
Water Project Admin	230,000	230,000	460,000
Blackfeet Water Compact	4,000,000		4,000,000
Fort Belknap Water Compact	1,000,000		1,000,000
<u>Agriculture</u>			
Invasive Species	333,500	333,500	667,000
<u>Justice</u>			
License Plate Reissue	321,250		321,250
Meth Watch	500,000		500,000
<u>Corrections</u>			
License Plate Reissue	2,858,599	27,709	2,886,308
<u>Long Range Planning HB 5</u>			
LRBP Transfer	542,586	542,586	1,085,172
LRBP Energy Conservation Improvements	750,000	750,000	1,500,000
FWP - Access Montana	3,000,000	3,000,000	6,000,000
Ruby Dam	1,000,000	1,000,000	2,000,000
Energy Project Administration	750,000	750,000	1,500,000
<u>Long Range Planning HB 10 IT</u>			
ESSC Equipment and Moving	1,750,000	1,750,000	3,500,000
Interoperability Montana	1,000,000	1,000,000	2,000,000
Child Support Computer	250,000	250,000	500,000
SOS Information Management System	2,750,000	2,750,000	5,500,000
Replace HB 10 GF Transfer	3,433,100	3,433,100	6,866,200
<u>Long Range Planning HB 11 TSEP</u>			
Regional Water System	4,000,000	4,000,000	8,000,000
TSEP Infrastructure	10,250,000	10,250,000	20,500,000
<u>Long Range Planning Other Transfers</u>			
School Facilities HB 152	21,500,000	21,500,000	43,000,000
SW Montana Vets Home HB 213	1,750,000	1,750,000	3,500,000
<u>Long Range Planning Renewable Resource</u>			
Water Projects	1,750,000	1,750,000	3,500,000
<u>Long Range Reclamation and Development</u>			
Reclamation Projects	500,000	500,000	1,000,000
Grand Total	\$126,561,680	\$120,703,267	\$247,264,947



Figure 6

General Fund Currently in Other Bills
HB 645 as Introduced

Agency/Purpose	FY 2010	FY 2011	Biennium	Where Included
<u>Governor's Office</u>				
Pay Plan Contingency	\$4,000,000		\$4,000,000	HB 13
Pay Plan Training	75,000		75,000	HB 13
Pay Plan OTO Payment	3,065,451		3,065,451	HB 13
<u>DofA</u>				
High Performance Computing	1,000,000	1,000,000	2,000,000	HB 2
<u>Commerce</u>				
Main Street	125,000	125,000	250,000	HB 2
Distressed Wood Products	3,752,548	3,747,452	7,500,000	
Energy Promotion Division	455,000	455,000	910,000	HB 2
<u>Agriculture</u>				
Invasive Species	333,500	333,500	667,000	HB 2
<u>DNRC</u>				
Fort Belknap Water Compact	1,000,000		1,000,000	HB 135
Blackfoot Water Compact	4,000,000		4,000,000	HB 161
<u>Justice</u>				
License Plate Reissue	321,250		321,250	HB 2
Meth Watch	500,000		500,000	HB 2
<u>Corrections</u>				
License Plate Reissue	2,858,599	27,709	2,886,308	HB 2
<u>Long Range Planning HB 5</u>				
LRBP Energy Conservation Improvements	750,000	750,000	1,500,000	HB 5
FWP - Access Montana	3,000,000	3,000,000	6,000,000	HB 5
Energy Project Administration	750,000	750,000	1,500,000	HB 5
<u>Long Range Planning HB 10 IT</u>				
ESSC Equipment and Moving	1,750,000	1,750,000	3,500,000	HB 10
Interoperability Montana	1,000,000	1,000,000	2,000,000	HB 10
Child Support Computer	<u>250,000</u>	<u>250,000</u>	<u>500,000</u>	HB 10
Total in Other Bills	<u>\$28,986,348</u>	<u>\$13,188,661</u>	<u>\$42,175,009</u>	

2009 Montana Legislative Session

Joint Subcommittee on Education

Please sign in

John Fleming John Fleming

LANCE MELTON MTSBA

Nanette Gilbertson

MT Library Association

Bruce Messinger

Idaho Public Schools

DAVE PERRA

MED

Debbie Duncan

OTI

TOM BLOPER

ALSA-MFT

Wanda Grinde

House Dist. 48

James Haras

Stefan Bieswa

Kirk Miller

Steve Johnson

Nancy Sweeney

Paul Beck

Susan Briggs

Susan Briggs

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

**JOINT APPROPRIATIONS SUBCOMMITTEE ON JUDICIAL BRANCH,
LAW ENFORCEMENT, AND JUSTICE**

Call to Order: Chairman Ray Hawk, on March 12, 2009 at 10:00
A.M., in Room 350 Capitol

ROLL CALL

Members Present:

Rep. Ray Hawk, Chairman (R)
Sen. Keith Bales (R)
Sen. Steven Gallus (D)
Rep. Dennis Getz (D)
Rep. Cynthia Hiner (D)
Rep. Bill Nooney (R)

Members Excused: None

Members Absent: Sen. John Brueggeman, Vice Chairman (R)

Staff Present: Debbie Carlson, Committee Secretary
Brent Doig, OBPP
Pat Gervais, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 645, 3/10/2009

Executive Action: None

JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND

JUSTICE

March 12, 2009

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00:00:00 Chairman Hawk
00:04:02 Rep. Hiner
00:04:47 Pat Gervais, Legislative Fiscal Division
EXHIBIT(jch55a01)
00:05:57 Rep. Hiner
00:06:20 Ms. Gervais
00:07:34 Rep. Hiner
00:08:14 Chairman Hawk
00:08:21 Ms. Gervais
00:08:38 Chairman Hawk
00:08:50 Rep. Hiner
00:09:10 Ms. Gervais
00:11:44 Chairman Hawk
00:11:58 Sen. Gallus
00:12:54 Chairman Hawk
00:13:27 Mike Ferriter, Director, Montana Department of
Corrections
00:18:33 Rep. Getz
00:19:17 Mr. Ferriter
00:20:28 Ms. Gervais
00:21:13 Chairman Hawk
00:21:30 Mr. Ferriter
00:23:18 Chairman Hawk
00:23:42 Ms. Gervais
00:24:04 Chairman Hawk
00:24:08 Mike McGrath, Chief Justice, Montana Supreme Court
00:29:47 Chairman Hawk
00:30:01 Mr. McGrath
00:30:06 Rep. Hiner
00:30:17 Mr. McGrath
00:30:31 Ed Bartlett, Attorney, Billings, Montana (former
Chairman, State Bar of Montana)
00:31:56 Chairman Hawk
00:32:02 J.C Weingartner, MEA/MFT
00:37:13 Chirman Hawk
00:37:17 David Ortley, Justice of Peace, Flathead County
00:40:56 Rep. Hiner
00:41:26 Ms. Gervais
00:41:51 Rep. Hiner
00:41:55 Ms. Gervais
00:42:04 Sen. Bales
00:42:25 Chairman Hawk
00:42:40 Nancy Sweeney, Lewis and Clark County Clerk of Court
00:44:05 Chairman Hawk
00:44:16 Skip Culver, Department of Justice
00:44:56 Ms. Gervais
00:45:29 Mr. Culver

JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND

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00:45:40 Rep. Nooney
00:45:52 Mr. Culver
00:46:11 Ms. Gervais
00:46:46 Chairman Hawk
00:46:59 Rep. Hiner
00:47:21 Ms. Gervais
00:47:55 Sen. Bales
00:48:47 Ms. Gervais
00:50:37 Sen. Bales
00:50:52 Ms. Gervais
00:51:22 Rep. Nooney
00:51:56 Chairman Hawk
00:52:06 Rep. Nooney
00:52:14 Rep. Getz
00:52:33 Ms. Gervais
00:53:21 Rep. Hiner
00:53:46 Chairman Hawk
00:54:01 Don Merritt, Fiscal Officer, Montana Board of Crime
Control
00:55:39 Ms. Gervais
00:56:00 Mr. Merritt
00:56:10 Sen. Bales
00:56:36 Mr. Merritt
00:56:50 Chairman Hawk
00:56:53 Ms. Gervais
00:57:21 Chairman Hawk
00:57:27 Rep. Hiner
00:57:35 Chairman Hawk
00:57:38 Ms. Gervais
00:58:39 Chairman Hawk
00:58:55 Sen. Bales
00:59:57 Brent Doig, Office of Budget and Program Planning
01:00:21 Chairman Hawk
01:00:31 Mr. Merritt
01:01:09 Chairman Hawk
01:01:15 Mr. Merritt
01:02:08 Chairman Hawk
01:02:11 Mr. Merritt
01:02:21 Chairman Hawk
01:02:25 Ms. Gervais
01:02:57 Sen. Bales
01:03:23 Mr. Merritt
01:04:12 Chairman Hawk
01:04:17 Mr. Doig
01:04:33 Chairman Hawk
01:04:48 Ms. Gervais
01:05:41 Chairman Hawk
01:05:44 Mr. Doig
01:06:15 Chairman Hawk

JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND
JUSTICE
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01:06:58 Rep. Getz
01:07:57 Sen. Bales
01:08:08 Chairman Hawk
01:08:14 Sen. Bales
01:09:33 Ms. Gervais
01:10:28 Sen. Bales
01:11:47 Rep. Hiner
01:12:13 Ms. Gervais
01:13:17 Rep. Nooney
01:13:48 Chairman Hawk
01:14:12 Mr. Doig
01:14:43 Chairman Hawk
01:15:21 Ms. Gervais
01:16:05 Rep. Hiner
01:16:51 Chairman Hawk
01:17:03 Ms. Gervais
01:17:35 Chairman Hawk
01:17:59 Sen. Bales
01:19:55 Rep. Nooney
01:20:06 Sen. Bales
01:21:20 Rep. Nooney
01:21:28 Rep. Getz
01:22:39 Sen. Gallus
01:23:17 Chairman Hawk
01:23:44 Sen. Gallus
01:24:05 Sen. Bales
01:24:13 Rep. Getz
01:24:44 Chairman Hawk
01:25:10 Sen. Gallus
01:25:19 Sen. Bales
01:26:07 Chairman Hawk
01:26:27 Sen. Bales
01:26:33 Ms. Gervais
01:27:00 Sen. Bales
01:27:49 Rep. Hiner
01:28:02 Ms. Gervais
01:28:34 Rep. Hiner
01:28:53 Sen. Bales
01:29:13 Rep. Getz
01:29:40 Ms. Gervais
01:30:22 Rep. Hiner
01:30:36 Ms. Gervais
01:31:06 Rep. Nooney
01:31:23 Ms. Gervais
01:31:42 Mr. Doig
01:32:32 Ms. Gervais
01:33:16 Rep. Getz
01:34:04 Sen. Bales
01:35:33 Chairman Hawk

JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND
JUSTICE
March 12, 2009
PAGE 5 of 6

01:35:42 Rep. Hiner
01:35:47 Ms. Gervais
01:36:15 Sen. Gallus
01:36:43 Ms. Gervais
01:37:14 Sen. Gallus
01:37:23 Mr. Ferriter
01:38:21 Rep. Getz
01:38:42 Sen. Gallus
01:39:14 Ms. Gervais
01:39:59 Chairman Hawk
01:40:11 Mr. Ferriter
01:41:01 Ms. Gervais
01:41:35 Rep. Hiner
01:42:02 Sen. Bales
01:42:11 Sen. Gallus
01:42:16 Ms. Gervais
01:42:23 Chairman Hawk

ADJOURNMENT

01:42:35 Adjournment: 12:00 P.M.

Debbie Carlson, Secretary

dc

Additional Documents:

EXHIBIT(jch55aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
Judicial Branch, Law Enforcement and Justice Appropriations
SUBCOMMITTEE

DATE: 3-12-09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Representative Hawk (Chairman)	✓	
Senator Gallus (Vice Chairman)	✓	
Representative Getz	✓	
Senator Brueggeman		✓
Representative Hiner	✓	
Senator Bales	✓	
Representative Nooney	✓	

SECTION D - MONTANA BOARD OF CRIME CONTROL

Figure 1

4107 Crime Control Division Legislative Budget Comparison Table							All Programs	
Federal Stimulus Budget Version Budget Item	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Grants	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%
Total Costs	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%
Federal Spec. Rev. Funds	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%
Total Funds	-	-	4,646,774	-	-	4,646,774	4,646,774	0.0%

Agency Narrative

Funding for the Montana Board of Crime Control is increased by \$4.6 million federal funds to reflect increases in federal pass through grants included in the American Recovery and Reinvestment Act.

Purpose of Funds

The Montana Board of Crime Control will be receiving funds supporting justice and law enforcement efforts through three federal grant programs. These funds will be passed-through to various state and local entities. In general, entities must complete a grant application in order to receive funds. More specific information related to each source of funds is included in the following paragraphs.

Edward Byrne Memorial Justice Assistance Grant Formula Program

This program is administered by the U.S. Department of Justice and flows through the state agency to sub-grantees at the state and local level. These funds may be used for all components of the criminal justice system. The federal grant purpose areas for these funds are:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)

Funded projects may address crime through the provision of services directly to individuals and or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures

Up to 10 percent of the funds may be used for costs of administering the grant funds. Funds must be used to supplement existing state and local funds and must not replace those funds that have been appropriated for the same purpose.

Awards are made in the first fiscal year of the appropriation and may be expended during the following three years, for a total grant period of four years. For example, grant awards made this year, federal fiscal 2009, may be expended during federal fiscal 2009, 2010, 2011, and 2012 or until September 30, 2012.

SECTION D - MONTANA BOARD OF CRIME CONTROL

In addition to the funding included in this bill, there is \$1,806,681 that has been allocated for eligible local agencies. The allocation list may be found on the U.S. Department of Justice website.

Crime Victims

This program is a formula grant program administered by the U.S. Department of Justice that flows through a designated state agency (in this case Montana Board of Crime Control) to sub-grantees at the state and local level. Funds support community-based organizations that serve crime victims and provide services such as crisis intervention, counseling, emergency shelter, criminal justice advocacy, and emergency transportation. States are required to give priority to programs serving victims of domestic violence, sexual assault, and child abuse. Additionally, funds must be set aside for underserved victims such as survivors of homicide victims and victims of drunk drivers.

In addition to the amounts allocated via formula grants, there is funding available for discretionary grants that are used to fund training, technical assistance, and demonstration initiatives. No discretionary grant funding is included in this bill.

The federal agency website indicates further information on the grant application process will be forthcoming.

Violence Against Women Grant

This program is a formula grant program administered by the U.S. Department of Justice, Office on Violence Against Women, which flows through the state to sub-grantees at the state and local level. Montana has received a funding allocation under the "Service, Training, Officers, Prosecutors Formula Grant Program (STOP)". This grant program is to promote a coordinated, multidisciplinary approach to enhance services and advocacy to victims, improve the criminal justice system's response, and promote effective law enforcement, prosecution, and judicial strategies to address domestic violence, dating violence, sexual assault and stalking.

The federal agency anticipates application solicitations will be posted no later than March 9, 2009 and that applications will be due 15 days later. Funds must be obligated by September 30, 2010. However, the federal agency expects to issue two year awards.

Current program requirements apply including:

- 25 percent match is required. However, requests for a waiver of match requirements will be considered
- Funds must be disbursed using the allocation formula or:
 - 25 percent for law enforcement
 - 25 percent for prosecution
 - 5 percent for courts
 - 30 percent for victims' services
 - 15 percent discretionary

Statutory Changes

None

SECTION D - MONTANA BOARD OF CRIME CONTROL

Conditions and Limitations

Each federal funding source has specific conditions and limitations, most of which are consistent with existing federal program requirements. More specific information related to each source of funds is included in the narrative under purpose of funds.

In addition to the specific grant conditions, some of which are mentioned above, funds are subject to various provisions included in the act such as reporting requirements, buy American provisions, etc.

Figure 2

4107 Crime Control Division				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
NP00900 Byrne/JAG	-	-	-	3,165,819	-	3,165,819
NP00901 Crime Victims	-	-	-	564,000	-	564,000
NP00902 Violence Against Women Grants	-	-	-	916,955	-	916,955
New Proposal Total	-	-	-	4,646,774	-	4,646,774
Total All Decision Packages	-	-	-	4,646,774	-	4,646,774

Decision Package Narrative

NP 900 Byrne/JAG – This decision package provides funding for the Edward Byrne Memorial Justice Assistance Grant Formula Program administered by the U.S. Department of Justice. This funding passes-through the agency to sub-grantees at the state and local level.

NP 901 Crime Victims – This decision package provides funding for the Crime Victim's Assistance formula grant program administered by the U.S. Department of Justice, Office for Victims of Crime. This funding passes-through the agency to sub-grantees at the state and local level.

NP 902 – Violence Against Women Grants - This decision package provides funding for the STOP grant program administered by the U.S. Department of Justice, Office on Violence Against Women. This funding passes through the agency to sub-grantees at the state and local level.

Alternatives and Policy Options

The legislature may wish to discuss with the agency whether the Montana Board of Crime Control or agency staff have developed a list of guidelines or priorities for expenditure of funds within the grant program requirements. The legislature may wish to provide recommendations regarding priorities for use of the grant funds within federal requirements.

SECTION D – DEPARTMENT OF JUSTICE

Figure 1

4110 Department Of Justice Legislative Budget Comparison Table							All Programs	
Federal Stimulus Budget Version Budget Item	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change	Biennial Percent
Operating Expenses	-	-	1,224,920	-	-	1,224,920	1,224,920	0.0%
Total Costs	-	-	1,224,920	-	-	1,224,920	1,224,920	0.0%
General Fund	-	-	821,250	-	-	821,250	821,250	0.0%
Federal Spec. Rev. Funds	-	-	403,670	-	-	403,670	403,670	0.0%
Total Funds	-	-	1,224,920	-	-	1,224,920	1,224,920	0.0%

Agency Narrative

This bill provides appropriations totaling \$1.2 million to the Department of Justice. Of this amount \$403,670 is new federal funding for the Internet Crimes Against Children grant program. General fund support is provided for the costs related to reissuance of license plates beginning in January 2010 and to support the Methamphetamine Watch Program. This bill contains a coordinating section that reduces general fund support for these two items in the appropriations act (HB 2) if this bill is passed, approved, and includes funding for these items.

Purpose of Funds***Internet Crimes Against Children***

This program provides funding for state and regional task forces to address technology facilitated child exploitation. Funding may be used for salaries and employment costs of law enforcement officers, prosecutors, forensic analysts, and other related professionals.

Applications are due by April 8, 2009. Applicants are limited to only those states and local law enforcement and prosecutorial agencies who are currently receiving funds under the program. Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. Funds may not be used to supplant current funding levels. Various reporting requirements apply including reporting on specified performance measures.

Statutory Changes

None

Conditions and Limitations

In addition to the specific grant conditions, some of which are mentioned above, funds are subject to various provisions included in the act such as reporting requirements, buy American provisions, etc.

SECTION D – DEPARTMENT OF JUSTICE

Figure 2

4110 Department Of Justice				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
PL00900 License Plate Reissue - OTO	321,250	-	321,250	321,250	-	321,250
Present Law Total	321,250	-	321,250	321,250	-	321,250
NP00900 Continue Meth Watch Program - Rest/Bein/OTO	500,000	-	500,000	500,000	-	500,000
NP00901 Internet Crimes Against Children Grants	-	-	-	403,670	-	403,670
New Proposal Total	500,000	-	500,000	903,670	-	903,670
Total All Decision Packages	821,250	-	821,250	1,224,920	-	1,224,920

Decision Package Narrative

PL 900 License Plate Reissue, OTO - This decision package provides funding to support anticipated cost associated with the reissuance of license plates beginning in January 2010. This bill contains a coordination section that reduces funding included in the appropriations act (HB 2) if funding for this purpose is included in this bill.

NP 9000 Continue Meth Watch Program – Restricted/Biennial/OTO - This decision package provides \$500,000 general fund as a restricted, biennial, one-time-only appropriation for the Methamphetamine Watch program. This bill contains a coordination section that reduces funding included in the appropriations act (HB 2) if funding for this purpose is included in this bill.

NP 901 Internet Crimes Against Children Grant - This decision package provides an appropriation of federal funds for the Internet Crimes Against Children Grant.

Alternatives and Policy Options

None

SECTION D – DEPARTMENT OF CORRECTIONS

Figure 1

6401 Department Of Corrections							All Programs	
Legislative Budget Comparison Table								
Federal Stimulus Budget Item	Budget Version	Base FY 2008	Approp FY 2009	Budgeted FY 2010	Budgeted FY 2011	Biennium FY 2008-09	Biennium FY 2010-11	Biennial Change Percent
Operating Expenses		-	-	2,858,599	27,709	-	2,886,308	2,886,308 0.0%
Total Costs		-	-	2,858,599	27,709	-	2,886,308	2,886,308 0.0%
General Fund		-	-	2,858,599	27,709	-	2,886,308	2,886,308 0.0%
Total Funds		-	-	2,858,599	27,709	-	2,886,308	2,886,308 0.0%

Agency Narrative

This bill provides funding of \$2.9 million general fund to support costs associated with the reissuance of license plates beginning in January 2010. Currently, this funding is included in the appropriations act (HB 2) as a restricted, biennial, one-time-only appropriation. Coordination language is included in this bill to modify the appropriation in HB 2 if this bill is passed, approved, and includes funding for this item.

Purpose of Funds

General fund is appropriated to fund anticipated costs of reissuing license plates.

Statutory Changes

None

Conditions and Limitations

None

Figure 2

6401 Department Of Corrections				All Programs		
Legislative Budget Decision Package	General Fund FY 2010	General Fund FY 2011	General Fund FY 2010-11	Total Funds FY 2010	Total Funds FY 2011	Total Funds FY 2010-11
<i>Federal Stimulus New Proposal Decision Packages</i>						
PL00900 License plate reissue OTO/Bien	2,858,599	27,709	2,886,308	2,858,599	27,709	2,886,308
Present Law Total	2,858,599	27,709	2,886,308	2,858,599	27,709	2,886,308
Total All Decision Packages	2,858,599	27,709	2,886,308	2,858,599	27,709	2,886,308

Decision Package Narrative

PL 900 License Plate Reissue – OTO/Biennial – This decision package proposes funding the costs related to reissuance of license plates beginning in January 2010 in this bill rather than the general appropriations act.

Alternatives and Policy Options

None

**MONTANA JUDICIAL BRANCH
Court Help Budget Proposal
Prepared by Office of Court Administrator
March 2009**

The Judicial Branch requests a one-time only (OTO) appropriation in HB 645 of \$247,500 each fiscal year to fund the Court Help program.

- The 2007 Legislature appropriated \$505,000 in one-time only money to implement the Court Help program.
 - The Judicial Branch is requesting a reduced amount -- \$495,000 for the 2011 biennium -- to fund the program (OTO).
- The Court Help program supports:
 - Two full-time centers located in courthouses -- one in Kalispell and one in Billings -- that have assisted over 3,700 people who are representing themselves in civil proceedings
 - Mini-grants to eight other communities for limited local programs to assist people in navigating the civil legal system
 - Development of user-friendly legal forms and instructions available to anyone via the Internet.
- The Court Help program will shut down June 30, 2009 unless funded this session.
 - The Judicial Branch will be unable to provide civil legal assistance to hundreds of Montanans who must go it alone in court.
 - Four employees will lose their jobs -- two state employees in Helena and Billings, one county employee in Kalispell, and one private sector employee.
- HB 645, as introduced, includes no funding for the Judicial Branch.
 - According to the Legislative Fiscal Division, there is approximately \$3 million that has not been allocated in HB 645.
 - The Judicial Branch requests a small portion of this amount to fund the Court Help program.
- The Court Help program meets the following goals of the federal stimulus bill:
 - Preserves jobs
 - Assists those most impacted by the recession
 - Stabilizes state government budgets in order to minimize and avoid reductions in essential services
 - "Shovel-ready" project

**Montana House of Representatives
Visitors Register**

**JUDICIAL BRANCH, LAW ENFORCEMENT AND JUSTICE
APPROPRIATIONS SUBCOMMITTEE**

Bill No. HB645 Sponsor(s) Rep. Sesso Date 3/12/2009

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
DAVID ORILEY	Sera	x		
Nancy Sweeney	Asst. to Clerk Dist. Court Equal Justice Task Force	x		
Ed. [unclear]	[unclear]			
Skip Culver	Traction			x

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

+

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 12, 2009 at 3:00
P.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Jon C. Sesso, Chairman (D)
Rep. Duane Ankney (R)
Rep. Dennis Getz (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Teresa K. Henry (D)
Rep. Cynthia Hiner (D)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Llew Jones (R)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Bill Nooney (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Cheryl Steenson (D)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Samuel Speerschneider, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Meeting & Date Posted: HB 645, 3/12/2009

Executive Action: HB 15, HB 478, HB 425, HB 578,
HB 246, HB 550

00:00:02 Chairman Sesso

HEARING ON HB 645

Opening Statement by Sponsor:

00:00:56 Rep. Jon Sesso (D), HD 76, opened the hearing on
HB 645, Implement receipt of and appropriate federal
stimulus and recovery funds.

Discussion:

00:03:24 Rep. Kasten

EXHIBIT(aph55a01)

00:04:30 Chairman Sesso

00:06:41 Kathy Duncan, Legislative Fiscal Division

00:07:10 Chairman Sesso

00:09:26 Rep. Hollenbaugh

00:11:14 Chairman Sesso

00:13:34 Rep. Hollenbaugh

00:14:31 Chairman Sesso

00:16:04 Rep. Kasten

EXHIBIT(aph55a02)

00:17:02 Ms. Duncan

00:18:38 Rep. Hollenbaugh

00:19:38 Chairman Sesso

00:22:38 Rep. Hollenbaugh

00:22:52 Chairman Sesso

00:23:06 Rep. Jones

00:23:38 Rep. Kasten

00:25:19 Chairman Sesso

00:29:38 Rep. Glaser

00:30:05 Chairman Sesso

00:30:33 Rep. Glaser

00:31:34 Chairman Sesso

00:31:51 Rep. Villa

EXHIBIT(aph55a03)

00:36:41 Rep. Mehlhoff

00:38:28 Rep. Villa

00:39:30 Rep. Mehlhoff

00:40:01 Rep. Glaser
00:41:35 Rep. Henry
00:42:12 Rep. Glaser
00:43:11 Rep. Steenson
00:43:44 Rep. Hawk
00:45:48 Rep. Hollenbaugh

EXHIBIT (aph55a04)

00:47:26 Rep. Jones
00:49:07 Chairman Sesso
00:49:15 Rep. Villa
00:49:35 Chairman Sesso
00:49:53 Rep. Henry
00:52:37 Chairman Sesso
00:52:49 Rep. Henry
00:53:18 Rep. Morgan
00:54:10 Chairman Sesso
00:55:44 Rep. Pease-Lopez
00:56:02 Chairman Sesso
00:56:53 Rep. McChesney
00:59:49 Rep. Glaser
01:00:18 Chairman Sesso
01:00:55 Rep. Mehlhoff
01:01:18 Chairman Sesso
01:05:59 Rep. Hollandsworth
01:06:12 Rep. Villa
01:06:41 Rep. Roberts
01:07:04 Chairman Sesso
01:10:25 Rep. Morgan

EXECUTIVE ACTION ON HB 15

01:11:11 **Motion:** Rep. Villa moved that **HB 15 DO PASS.**
01:12:12 **Vote:** Motion carried 18-2 by voice vote with Rep. Hawk
and Rep. Kasten voting no. Rep. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 478

01:12:58 **Motion/Vote:** Rep. Hiner moved that **HB 478 DO PASS.**
Motion carried unanimously by voice vote. Rep. Ankney
voted by proxy.

01:14:22 Rep. Jones

HOUSE OF REPRESENTATIVES
Roll Call
APPROPRIATIONS COMMITTEE

DATE: 3/12/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Hiner	X	
Rep. McNutt	X	
Rep. Villa	X	
Rep. Roberts	X	
Rep. Nooney	X	
Rep. Steenson	X	
Rep. Henry	X	
Rep. McChesney	X	
Rep. Getz	X	
Rep. Hawk	X	
Rep. Kasten	X	
Rep. Morgan	X	
Rep. Hollandsworth	X	
Rep. Ankney	X	
Rep. Pease-Lopez	X	
Rep. Hollenbaugh	X	
Rep. Mehlhoff	X	
Rep. Jones	X	
Rep. Glaser	X	
Chairman Sesso	X	

EXHIBIT 1
DATE 3/12/09
HB 645

HB 645 Public Testimony - Requests - Sections C and F

<u>Individual</u>	<u>Request</u>	<u>Description</u>	<u>Comments</u>
1 Rep. Washburn	2,050,000	Hebgen Water Project	
2 Crawford	4,000,000	Manhattan Water Project - Infrastructure due to growth, water quality issues, storage, meters	
3 Erskine	1,750,000	Brockton - Relocate Wastewater Ponds	
5 Mike Miller	5,000	Helmville Volunteer Fire Department Garage	SPF Grants
6 Rep. Berry	400,000	Deadman Basin Reservoir, Dam Safety Features - replace RRG loan	
7 Hansen	900,000	Bridge - Main Stream Bridge 750 - 900k	
7 Hansen	200,000	Courthouse - windows replacement - energy efficiency	SEP - Block Grant ??
7 Hansen	500,000	Milwaukee roundhouse site for cleanup (120)	
8 Davis-Briggs		Main Hall - MSU Western	6.00 M in HB 645 section F
9 Rep. Furey	70,000,000	HB 467	
9 Rep. Furey	2,000,000	HB 14 Plum Creek Timber Purchase	
9 Rep. Furey	10,000,000	HB569 Low Income Housing	
10 Jesse		Energy conservation program for MUS	11.0 M in HB 645 section F
11 Laity	1,600,000	Support Hansen Testimony / Industrial Park - Cut Bank - road repair	
12 Rep. Belcourt	1,269,000	Rocky Boy North Central Regional Water Project - Water Quality	Additional funding beyond
13 Murphy		Irrigation Projects - Aging Infrastructure - Ruby, Deadmans, St Mary's	Any effort appreciated
14 Wade		NCRW, Dry Prairie, MT Rural Water Systems	Efforts Drinking/Wastewater Projects
15 Sect McCulloch		SOS IT System	\$5.5 M in HB 645 section F / HB 10
16 Brandt - DOA		CIO supports SOS System	
17 Mires		Glasgow Irrigation - Support / St Mary's Rehab Group - needs NEPA	
18 Tiberi	2,364,000	MACD - river/stream restoration	
18 Tiberi	3,849,000	MACD - canal/irrigation restoration projects	
18 Tiberi	3,000,000	MACD - AFO/CAFO restoration projects	
19 Veazey		Mt Budget and Policy Center - Ex. Dir. - Cautions regarding spending of the stimulus	
20 Mefford	4,000,000	Town in Stevensville - Water Treatment Plant - Road Construction	
20 Mefford	6,000,000	Town in Stevensville - Water Treatment Plant - Phase II	
21 Barton	2,500,000	City of Deer Lodge Wastewater Treatment Project	
22 Sen. Barrett		Ruby Reservoir Dam	\$2.0 m In HB 645 Section F, \$4.0 other
23 Rep. Welborn		Ruby Reservoir Dam	
24 Aagnes		Ruby Reservoir Dam	
25 Hagerberger		Mt Contractors Association	
26 Wiggers	2,500,000	Simulated Hospital - MSU Great Falls	
26 Wiggers	450,000	Child Care Center - MSU Great Falls	
27 Schaeffer		Support of MSU Great Falls	
28 Glover		Child Care Center - MSU Great Falls	
29 Rep. Mehlhoff		Support of MSU Great Falls	
30 Shropshire	2,500,000	Helena City Commissioner - Helena City Manager - Centennial Trail	
31 Burton	3,000,000	Helena Transit Center	
Burton	6,500,000	15th St Parking Garage	
32 Albrecht	400,000	Watson Children's Center	
33 Sen. Windyboy		Same as Rep. Belcourt	
34 Rep. Boland	135,000	Finish Insulation and Pave Rd to the Grt Falls Community Ice Center	
35 Rep. Campbell			
36 Rep. Reinhart		Consider Non-highway projects with transportation funding	
37 Rep. Kasten	500,000	Fort Kipp irrigation project	
37 Rep. Kasten	3,000,000	Browning Public Schools	
38 Church	800,000	Central Montana Water Coalition - Deep test well converted to full well	
39 Rep Jones	340,000	CAC - Boiler & ER	
	525,000	Hospital IT system, energy retrofits	
39 Rep Jones	700,000	Senior Center Rehab	
39 Rep Jones	2,200,000	Industrial Park - move sewer and water under highway	
39 Rep Jones	1,259,487	Conrad High School	
40 Sweeney		Anaconda Deer Lodge County - Mill Creek Highway	

141,196,487 Total Requested

4 Blattie Distribution to counties to offset increased county costs -- \$1.0 million or \$10.00

Other General Discussion Included: Transportation funding and how that funding will be passed through to the states, clean water and drinking water revolving loan funds - availability to communities, role of DEQ regarding the permitting issues associated with increased construction activities

LRP Technical Amendments to HB 5,6,7 etc. to mesh with HB 645 - Tomorrow RM 102
Section C Not meeting.

541

LONG RANGE BUILDING PROGRAM

DATE 3/12/09
HB 645

HB 5 Long-Range Building Program

Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										
				LRBP	SBECP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	Total
1	DOC	Energy Conservation Improvements, DOC	Deer Lodge, Glendive, Billings	0	10,000					500,000	2,610,000	1,260,000		4,380,000
2	DOA	Renovation & Energy Improvements, State Liquor Warehouse	Helena		460,000					1,750,000				2,210,000
3	DOA	Mechanical & Energy Projects, Capitol Complex	Helena							600,000	1,924,000			3,524,000
4	DMA	Energy Conservation Improvements, DMA	Billings, Livingston, Harlowton, Lewistown, Fort Harrison, Helena		265,000			885,000						1,150,000
5	MSDB	Energy & Facility Improvements, MSDB	Great Falls	250,000	25,000									275,000
6	DOC	Alternative Energy-Biomass Boiler, MSP	Deer Lodge		740,000			250,000						990,000
7	Statewide	Energy Related Deferred Maintenance	Statewide	870,000								2,280,000		3,150,000
8	DPHHS	DPHHS Energy Projects, Statewide	Boulder, Columbia Falls, Glendive, Warm Springs, Lewistown		0						2,132,000			2,132,000
9	DEC	Energy Projects at Community Colleges, Statewide	All Community Colleges Eligible, Statewide		0						1,000,000			1,000,000
10	DOA	Cabinet Agency Energy Projects, Statewide	Helena, Great Falls, Virginia City, Nevada City, Billings, Missoula, Kalispell, Butte, Miles City		0						6,525,000			6,525,000
11	DNRC	Energy/Major Repairs & Small Projects, DNRC Statewide	DNRC Unit locations statewide	1,000,000										1,000,000
12	Statewide	Spending Authority, Utility Energy Conservation Funds	Statewide							2,000,000				2,000,000
13	Statewide	Hazardous Materials Abatement	Statewide	400,000										400,000
14	Statewide	Roof Repairs & Replacements	Statewide	1,310,000				700,000						2,010,000
15	DOA	Elevator & ADA Modifications, Capitol Complex	Helena							1,450,000				1,450,000

LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program														
Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										Total
				LRBP	SBCEP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	
16	Statewide	Repair/Preserve Building Envelopes	Statewide	1,500,000										1,500,000
17	Statewide	Code Deferred Maintenance	Statewide	2,000,000										2,000,000
18	MDT	Statewide Maintenance, Repair & Small Projects	Statewide				2,625,000							2,625,000
19	MUS	Code Compliance/Deferred Maintenance, MUS	Missoula, Bozeman, Butte, Billings, Great Falls, Dillon, Havre, Helena, MAES-statewide	3,600,000					1,000,000					4,600,000
20	DOA	Infrastructure Repairs, State Capitol	Helena	500,000					300,000					800,000
21	Commerce	Historic Preservation & Supporting Improvements, MHC Statewide	Virginia City, Nevada City, Reeders Alley-Helena	750,000										750,000
22	Statewide	Campus Infrastructure	Statewide	1,000,000										1,000,000
23	DMA	Storm Water Improvements/Infrastructure, Phase 3, FT Harrison	Fort Harrison					1,600,000						1,600,000
24	DMA	Paving Parking Lots, DMA Statewide	Hamilton, Anaconda, Glasgow, Malta	100,000				100,000						200,000
25	DOA	Parking Lot Upgrades, Capitol Complex	Helena						250,000					250,000
26	DOC	Emergency Power System, MSP	Deer Lodge	500,000										500,000
27	Agriculture	Renovation & Energy Upgrades, State Grain Lab	Great Falls	525,000										525,000
28	Statewide	Upgrade Fire Protection Systems	Statewide	800,000										800,000
29	DOC	Renovate Low Support MSP	Deer Lodge								1,660,000			1,660,000
30	DPHHS	Improve Medical Services, MDC	Boulder	450,000										450,000
31	Statewide	Campus Master Planning	Statewide	200,000			100,000		200,000					500,000
32	DOC	New Building for Youth Transition Center	Great Falls	1,310,000										1,310,000

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LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program															
Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										Total	
				LRBP	SBECP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)		
33	DOC	Improve Food Production, DOC	Deer Lodge	300,000											300,000
34	DMA	Federal Spending Authority	Statewide					2,000,000							2,000,000
35	MDT	Equipment Storage Buildings, Anaconda, Glasgow Statewide					1,175,000								1,175,000
36	MDT	US Highway 93 Projects	US Highway 93				24,100,000								24,100,000
37	MUS	General Spending authority, UM	Missoula, Butte, Dillon, Helena						6,000,000						6,000,000
38	FWP	Future Fisheries	Statewide				1,150,000								1,150,000
39	FWP	Hatchery Maintenance	Statewide				575,000	275,000							850,000
40	FWP	Community Fishing Ponds	Statewide				50,000								50,000
41	FWP	Clearwater Fish Barrier	Statewide				825,000	25,000							850,000
42	FWP	Habitat Montana	Statewide				8,110,000								8,110,000
43	FWP	Upland Game Bird Program	Statewide				1,525,000								1,525,000
44	FWP	Wildlife Habitat Maintenance	Statewide				1,010,000								1,010,000
45	FWP	Migratory Bird Stamp Program	Statewide				620,000								620,000
46	FWP	Bighorn Sheep	Statewide				150,000								150,000
47	FWP	Hunting Access	Statewide				2,500,000								2,500,000
48	FWP	Access Montana	Statewide											6,000,000	6,000,000
49	FWP	Parks Program	Statewide				3,040,000	2,000,000							5,040,000
50	FWP	FAS Acquisition	Statewide				500,000	100,000							600,000

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LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program

Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										Total
				LRBP	SBEP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	
51	FWP	FAS Site Protection	Statewide				900,000							900,000
52	FWP	Grant Programs/Federal Projects	Statewide				320,000	1,500,000						1,820,000
53	FWP	Admin Facilities Repair & Maint	Statewide				1,390,000							1,390,000
	DOA	Exterior Envelope Improvements, MT Law Enforcement Academy	North of Helena								425,000			425,000
	DOA	Renovations & Energy Improvements, Phase 2 State Motor Warehouse	Helena								1,200,000			1,200,000
	DOC	Facility Repair & Improvements, WATCh East	Glendive								650,000			650,000
	DNRC	Facility Repairs & Improvements, DNRC Swan & Stillwater Units	Seeley-Swan, Olney								64,828		335,172	400,000
	DOC	Renovate Low Support Phase 2 MT State Prison	Deer Lodge								1,240,000			1,240,000
	MUS	Renovate Main Hall Phase 2, Dillon UM-Western									6,000,000			6,000,000
	DPHHS	Renovation/Addition to Spratt, Warm Springs Building, MT State Hospital									1,640,000			1,640,000
	DPHHS	Montana Veterans Home Improvements, Statewide	Columbia Falls, Glendive								1,200,000			1,200,000
	DNRC	Consolidate DNRC Divisions, Missoula	Missoula										350,000	350,000
	DPHHS	Office of Public Assistance, Wolf Point	Wolf Point								2,250,000			2,250,000
	Statewide	Statewide Facilities Planning	Deer Lodge, Billings, Columbia Falls, Glendive, MAES										400,000	400,000
	DNRC	Central Land Office Building Renovation/Replacement, DNRC	North of Helena								1,600,000			1,600,000
	MUS	Energy Conservation Improvements (Energy Program Component)	Missoula, Bozeman, Butte, Billings, Great Falls, Dillon, Hayden, Helena, MAES, statewide							9,697,000				9,697,000

HB 5
LRBP
MAES

LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program

Original LRB Priority	Agency	Project Description	Location(s)	Funding Sources										
				LRBP	SBECP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	Total
	MUS	Energy Conservation Improvements (Deferred Maintenance Component)	Missoula, Bozeman, Butte, Billings, Great Falls, Dillon, Havre, Helena, MAES statewide						4,500,000		12,300,000			16,800,000
	DNRC	Building Addition, Billings DNRC Gas Office	Billings				1,300,000							1,300,000
	FWP	Rosa Creek Hatchery	Big Fork									5,000,000		5,000,000
	DMA	Construct Female Lahries DMA Culbertson & Malta	Culbertson, Malta									451,800		451,800
	DMA	Helicopter Dip Site	Fort Harrison									279,268		279,268
	DMA	Vault Modifications - DMA, Statewide	Statewide									500,000		500,000
	FWP	Mobley Diversion Watershed	SW of Miles City									300,000		300,000
	FWP	Fort Peck Hatchery Infrastructure	Fort Peck									720,000		720,000
	FWP	Fort Peck Hatchery Hydroelectric Generation	Fort Peck									9,200,000		9,200,000
	FWP	Willow Creek Feeder Canal Project	Augusta									1,250,000		1,250,000
	FWP	Vandalia Fish Passage	Hillsdale/Tampico (NW of Glasgow)									5,000,000		5,000,000
	DNRC	Rehabilitate Ruby Dam DNRC	Ennis										2,000,000	2,000,000
TOTAL LONG RANGE BUILDING PROGRAM - Revised with Stimulus Proposal -				\$17,365,000	\$1,500,000	\$0	\$51,965,000	\$9,435,000	\$19,550,000	\$23,888,000	\$33,769,828	\$22,701,068	\$9,085,172	\$189,259,068

LRBP PROPOSAL SUMMARY - ALL FUND CATEGORIES

AGENCY	LRBP	SBECP	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	Total
Statewide LRBP Appropriations	8,080,000	0	0	100,000	700,000	2,200,000	0	2,280,000	0	400,000	13,760,000

BEST COPY AVAILABLE

LONG RANGE BUILDING PROGRAM

HB 5 Long-Range Building Program														
Original LRBP Priority	Agency	Project Description	Location(s)	Funding Sources										
				LRBP	SBECF	FWP CP	State Special	Federal Special	Authority Only	Fed Stim Energy (Cat 1)	Fed Stim Stabilization (Cat 2)	Fed Stim Authority	Stim GF OTO (Cat 3)	Total
Statewide SBECF Appropriations				0	0	0	0	0	0	7,525,000	0	0	0	7,525,000
Dept of Justice				0	0	0	0	0	0	0	425,000	0	0	425,000
MT School for the Deaf & Blind				250,000	25,000	0	0	0	0	0	0	0	0	275,000
Fish, Wildlife & Parks				0	0	0	22,665,000	3,900,000	0	0	0	21,470,000	6,000,000	54,035,000
Dept of Transportation				0	0	0	27,900,000	0	0	0	0	0	0	27,900,000
DNRC				1,000,000	0	0	1,300,000	0	0	0	1,664,828	0	2,685,172	6,650,000
Dept of Revenue				0	460,000	0	0	0	1,750,000	0	1,200,000	0	0	3,410,000
Dept of Administration				500,000	0	0	0	0	3,600,000	1,924,000	0	0	0	6,024,000
Dept of Agriculture				525,000	0	0	0	0	0	0	0	0	0	525,000
Corrections				2,110,000	750,000	0	0	250,000	500,000	2,610,000	4,810,000	0	0	11,030,000
Labor & Industry				0	0	0	0	0	0	0	0	0	0	0
Military Affairs				100,000	265,000	0	0	4,565,000	0	0	0	1,231,068	0	6,181,068
DPHHS				450,000	0	0	0	0	0	2,132,000	5,090,000	0	0	7,672,000
Dept of Commerce				750,000	0	0	0	0	0	0	0	0	0	750,000
Montana University System				3,600,000	0	0	0	0	11,500,000	9,697,000	18,300,000	0	0	43,097,000
LRBP PROPOSAL TOTALS				\$17,365,000	\$1,500,000	\$0	\$51,965,000	\$9,435,000	\$19,550,000	\$23,888,000	\$33,769,828	\$22,701,068	\$9,085,172	\$189,259,068

EXHIBIT 3
DATE 3/12/09
HB 645



Section E – Office of Public Instruction

Main areas of public testimony

- Restoration of the at-risk component - \$10 million
- Virtual high-school - \$4.240 million
- Facility funding - ?

Montana University System 2011 Biennium Budget
General Fund and State Special Revenue

HB 645 + HB 2 Combined \$415.7 million	\$14.2 million above current legislative budget
Dec 15th Executive Budget \$407.1 million	\$5.6 million above current legislative budget
Current Legislative Budget House Appropriation \$401.5 million	

Brief overview of sub-committee discussion for section A

Governor's Office

- o LFD presentation, ensuing brief discussion of pay-plan funding included in HB 645 not being out of the ordinary in comparison to prior biennia
- o Discussion regarding clarification that funding is from freed-up general funds

Department of Administration

- o Mark Bruno, OBPP noted that the executive intends to move the high-performance computing initiative from D of A to Commerce, but did not elaborate on the mechanism or if an amendment is in the works
- o Discussion about the amount and timing of additional investment in the teachers' retirement system

Department of Commerce

- o LFD presentation
- o Agency presentation
- o Open discussion by public including:
 - o Bear paw economic development lobbying for financial support of Agro-Energy industrial park
 - o Grow Montana lobbying for financial support of stimulus dollars for six food and agricultural development centers. Funding is currently being requested in HB583
 - o Betsy Hands testifying on behalf of increased or new funding for low-income housing
 - o Chere Gisto testifying on behalf of increased funding for historic preservation projects
 - o National Center for appropriate technology lobbied for increase in tax credits for home weatherization from \$500 to \$800
 - o Representative Ankney requesting increase in funding for coal impact grants
- o Committee and public discussion of Distressed Wood Product Industry initiative
 - o Tim Baker, Montana Wilderness Association testified in support of funding
 - o Additional public testimony in support of funding
- o Public discussion on broadband matching grants
 - o Jeff Fiess and Bonnie Lorang, independent telecom lobbyists testified in opposition to providing funding
 - o Quest lobbyist testified in opposition to providing funding
- o Committee discussion of school facilities grants, why at commerce
 - o Senator Liable requested further information including a list of all state school districts, an explanation of how schools are classified, and a list detailing enrollments by district

Military Affairs

- o Agency presentation
- o Brief discussion by sub-committee
 - o Clarification that projects are "pre-approved" by federal National Guard Bureau
- o Representative Timothy Furey spoke to request support of proposed amendment that funds insurance payment to guard and reserve members returning from deployment

Department of Labor and Industry

- o LFD presentation
- o Agency presentation
- o Discussion of prescriptive nature of the funds
- o Discussion of the change in statute for the Alternative Base Period (ABP), the adoption of two additional benefit classes, and the financial impact of the change in statute in terms of stimulus funds and on-going liabilities
- o Clarification of the non-appropriated nature of the proprietary account that unemployment benefits are paid from
- o Discussion of the distribution, servicing, and purpose of Workforce Investment Act (WIA) training grants

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Call to Order: Chairman Teresa K. Henry, on March 13, 2009 at
8:11 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Rep. Teresa K. Henry, Chairman (D)
Sen. Dave Lewis, Vice Chairman (R)
Sen. John Esp (R)
Rep. Penny Morgan (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Sen. Trudi Schmidt (D)
Sen. David E. Wanzenried (D)

Members Excused: None

Members Absent: None

Staff Present: Marilyn Daumiller, Legislative Branch
Ryan Evans, OBPP
Erin Powers, OBPP
Bryce Bennett, Committee Secretary
Lois Steinbeck, Legislative Branch
Pat Sullivan, OBPP
Kris Wilkinson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 645

Executive Action: Subcommittee Recommendations to the
House Appropriations Committee

00:03:28 Chairwoman Henry discussed the rules of the committee.

Suicide Prevention

00:04:04 Rick Cottingham, self

EXHIBIT(jhh56a01)

00:08:58 Chairwoman Henry

00:09:03 Mr. Cottingham

00:09:11 Chairwoman Henry

00:09:17 Sen. Schmidt

00:09:31 Lois Steinbeck, Legislative Fiscal Division (LFD)

00:09:51 Carl Roston, Department of Public Health and Human Services (DPHHS)

00:10:22 Sen. Schmidt

00:10:31 Mr. Roston

00:10:50 Sen. Schmidt

00:10:54 Mr. Roston

00:11:21 Sen. Schmidt

00:11:33 Mr. Rosten

00:11:33 Sen. Schmidt

00:11:37 Mr. Rosten

00:11:54 Rep. Morgan

00:12:26 Mr. Roston

Discussion of the Recommendation Process and Projects

00:13:14 Ms. Steinbeck

00:18:19 Sen. Schmidt

00:18:38 Ms. Steinbeck

00:18:51 Sen. Schmidt

00:18:58 Ms. Steinbeck

00:19:07 Sen. Schmidt

00:19:21 Ms. Steinbeck

00:19:53 Marilyn Daumiller, LFD

00:20:26 Chairwoman Henry

00:20:35 Ms. Daumiller

00:20:44 Ms. Steinbeck

00:20:54 Sen. Lewis

00:21:28 Sen. Schmidt

00:22:09 Anna Whiting-Sorrell, Director, DPHHS

00:24:24 Sen. Wanzenried

00:25:05 Sen. Schmidt

00:25:14 Sen. Lewis

00:25:47 Ms. Steinbeck

00:26:29 Chairwoman Henry

00:27:50 Ms. Steinbeck

00:33:09 Chairwoman Henry

00:33:33 Ms. Steinbeck

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

March 13, 2009

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00:35:05 Sen. Schmidt
00:35:19 Ryan Evans, Office of Budget and Program Planning
(OBPP)
00:36:54 Ms. Steinbeck
00:37:02 Mr. Evans
00:37:57 Chairwoman Henry
00:38:06 Sen. Schmidt
00:38:27 Chairwoman Henry
00:38:38 Sen. Esp
00:38:45 Sen. Schmidt
00:38:50 Chairwoman Henry
00:39:29 Sen. Lewis
00:40:19 Ms. Steinbeck
00:40:36 Mr. Evans

EXHIBIT(jhh56a02)

00:43:19 Sen. Schmidt
00:43:27 Mr. Evans
00:44:06 Ms. Steinbeck
00:45:36 Chairwoman Henry
00:45:54 Mr. Evans
00:46:05 Ms. Steinbeck
00:46:13 Mr. Evans
00:46:16 Ms. Steinbeck
00:46:30 Chairwoman Henry
00:46:45 Mr. Evans
00:47:30 Chairwoman Henry
00:47:39 Mr. Evans
00:47:45 Chairwoman Henry
00:48:04 Mr. Evans
00:49:05 Sen. Schmidt
00:49:13 Chairwoman Henry
00:49:14 Sen. Schmidt
00:49:18 Mr. Evans
00:49:28 Ms. Steinbeck
00:49:51 Mr. Evans
00:50:30 Chairwoman Henry
00:50:58 Sen. Wanzienried
00:51:10 Chairwoman Henry
00:51:15 Sen. Wanzienried
00:51:37 Chairwoman Henry
00:51:45 Sen. Wanzienried
00:52:35 Sen. Schmidt
00:52:58 Chairwoman Henry
00:53:07 Sen. Lewis
00:53:37 Rep. Roberts
00:54:27 Sen. Schmidt
00:55:04 Chairwoman Henry
00:55:18 Sen. Wanzienried
00:55:57 Chairwoman Henry
00:56:27 Laurie Lamson, DPHHS

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

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00:57:32 Chairwoman Henry
00:58:19 Ms. Lampson
00:59:30 Sen. Schmidt
00:59:33 Chairwoman Henry
00:59:37 Sen. Wanzenried
01:00:01 Ms. Lampson
01:00:35 Sen. Wanzenried
01:00:45 Mr. Evans
01:01:10 Sen. Wanzenried
01:01:25 Mr. Evans
01:01:43 Sen. Schmidt
01:01:50 Chairwoman Henry

01:02:40 Recess
01:58:30 Reconvene

01:59:06 Chairwoman Henry
01:59:17 Ms. Steinbeck
02:01:45 Chairwoman Henry
02:01:47 Rep. Morgan
02:02:22 Ms. Steinbeck
02:02:37 Rep. Morgan
02:03:19 Sen. Wanzenried
02:03:46 Rep. Morgan
02:04:06 Ms. Steinbeck

02:04:26 **Motion:** Rep. Morgan moved a recommendation to allocate Medicaid \$60 million general fund in HB 645 according to items in the Subcommittee Decision Document.

Discussion:

02:04:44 Sen. Wanzenried
02:05:04 Amy Carlson, OBPP

02:09:34 Rep. Morgan withdrew her motion.

Discussion of the Recommendation Process and Projects

02:09:58 Sen. Lewis
02:10:34 David Ewer, Budget Director, OBPP
02:13:57 Sen. Lewis
02:14:50 Mr. Ewer
02:16:45 Sen. Lewis
02:17:38 Mr. Ewer
02:19:43 Chairwoman Henry

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

March 13, 2009

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02:20:07 **Motion:** Rep. Henry moved a recommendation to allocate non-Medicaid aging services \$10 million general fund in HB 645 according to items in the Subcommittee Decision Packet.

Discussion:

02:21:26 Sen. Lewis

02:22:35 **Vote:** Motion carried unanimously by voice vote.

02:23:18 **Motion:** Rep. Morgan moved a recommendation to place in HB 645 a 2% per year increase in provider rates with the provision that non-direct care workers receive the same percentage raise as direct care workers.

02:25:14 **Vote:** Motion carried unanimously by voice vote.

02:25:28 **Motion:** Rep. Roberts moved a recommendation that should HB 130, HB 131, and HB 132 be passed, they be approved for funding in HB 645.

02:25:46 Chairwoman Henry

02:26:13 Sen. Wanzenried

02:26:32 Chairwoman Henry

02:26:53 Rep. Morgan

02:27:11 Ms. Daumiller

02:27:24 Bryce Bennett, Committee Secretary

02:27:35 **Motion:** Rep. Roberts amended the motion to recommend that the language of HB 60, HB 130, HB 131, and HB 132 be inserted in HB 645 and that funding be allocated in accordance with the bills' language.

Discussion:

02:28:00 Rep. Morgan

02:28:12 Chairwoman Henry

02:28:37 **Vote:** Motion carried unanimously by voice vote.

02:29:04 **Motion:** Rep. Wanzenried moved a recommendation to allocate \$2.5 million general fund in HB 645 for food for food banks over the biennium in addition to the money set aside in the "American Recovery and Reinvestment Act".

Discussion:

02:29:44 Rep. Morgan

02:30:00 Sen. Wanzenried

02:30:20 **Vote:** Motion carried unanimously by voice vote.

02:30:32 Rep. Morgan

02:31:37 **Motion:** Rep. Morgan moved a recommendation to allocate \$10 million general fund in HB 645 for Montana Rescue Missions with the funds being distributed depending on number of people served.

Discussion:

02:32:14 Chairwoman Henry

02:32:34 Sen. Wanzenried

02:32:56 Ms. Daumiller

02:33:18 **Vote:** Motion carried unanimously by voice vote.

02:33:49 **Motion:** Rep. Pease-Lopez moved a recommendation to allocate \$800,000 general fund in HB 645 for four new Adult Protection Services full-time employees.

Discussion:

02:34:34 Rep. Pease-Lopez

02:34:53 Sen. Wanzenried

02:35:11 Ms. Steinbeck

02:35:22 Sen. Wanzenried

02:35:34 Rep. Pease-Lopez

02:36:24 Chairwoman Henry

02:36:35 **Vote:** Motion carried unanimously by voice vote.

02:36:58 **Motion:** Sen. Wanzenried moved a recommendation to allocate \$200,000 general fund in HB 645 for Traumatic Brain Injury Resource Facilitation Service.

02:37:49 **Vote:** Motion passed 7-1 with Rep. Morgan voting no.

02:38:09 Rep. Morgan

02:39:27 Hank Hudson, DPHHS

02:40:11 Rep. Morgan

02:40:26 Mr. Hudson

02:43:18 Rep. Morgan

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

March 13, 2009

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02:43:56 Mr. Hudson
02:45:10 Rep. Morgan
02:45:30 Mr. Hudson
02:46:45 Rep. Morgan
02:47:11 Ms. Daumiller
02:47:36 Rep. Morgan
02:48:15 Chairwoman Henry
02:48:20 Ms. Daumiller

02:48:23 **Motion:** Rep. Morgan moved the recommendation that 'Temporary Assistance for Needy Families' (TANF) be tracked and reported by the Legislative Finance Committee.

Discussion:

02:48:28 Ms. Daumiller
02:48:36 Sen. Wanzenried
02:49:28 Mr. Hudson
02:50:21 Sen. Wanzenried
02:50:36 Mr. Hudson

02:51:04 **Motion/Vote:** Sen. Wanzenried moved an amendment to the recommendation that people being assisted with TANF money receive job or employment skill training. Motion passed unanimously.

Discussion:

02:51:27 Chairwoman Henry
02:52:03 Rep. Morgan
02:52:11 Ms. Daumiller
02:53:51 Sen. Wanzenried

02:54:34 **Vote:** Motion carried unanimously by voice vote.

02:54:42 **Motion:** Rep. Morgan moved the recommendation that the allocation for a Southwestern Veterans' Home be removed from HB 645.

Discussion:

02:56:05 Sen. Lewis
02:57:11 Rep. Morgan
02:58:03 Rep. Pease-Lopez
02:58:28 Sen. Lewis

02:59:45 **Vote:** Motion passed 7-1 by voice vote with Sen. Lewis voting no.

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

March 13, 2009

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03:00:28 Chairwoman Henry
03:00:38 Rep. Pease-Lopez
03:01:01 Chairwoman Henry
03:01:09 Rep. Pease-Lopez
03:01:39 Chairwoman Henry
03:01:46 Becky Beckert-Graham, Fiscal Bureau Chief, DPHHS
03:04:00 Chairwoman Henry
03:04:40 Rep. Pease-Lopez
03:05:25 Ms. Beckert-Graham
03:06:07 Rep. Pease-Lopez
03:06:23 Ms. Beckert-Graham
03:06:34 Rep. Pease-Lopez
03:07:14 Chairwoman Henry
03:08:37 Sen. Wanzenried
03:09:07 Sen. Schmidt
03:09:46 Ms. Steinbeck
03:09:54 Sen. Schmidt
03:11:07 Chairwoman Henry

03:12:33 **Motion:** Sen. Schmidt moved the recommendation that \$30,000 general fund be allocated for contracts for staff education family find, \$356,812 general fund be allocated for a pilot project to stabilize foster care caseload, and \$241,314 general fund for education public defenders, CFSD, Courts and Stakeholders in HB 645 according to items in the Subcommittee Decision Document.

Discussion:

03:12:53 Rep. Morgan
03:13:15 Sen. Schmidt
03:14:07 Ms. Daumiller
03:14:47 Sen. Schmidt
03:14:53 Rep. Morgan
03:14:58 Ms. Daumiller
03:15:24 Sen. Schmidt
03:15:36 Chairwoman Henry
03:15:50 Rep. Morgan
03:16:37 Chairwoman Henry

03:16:40 Sen. Schmidt withdrew her motion.

03:16:47 **Motion:** Sen. Wanzenried moved a recommendation that the House Appropriations Committee reconcile differences between the Subcommittee on Public Health and Human Services and the Subcommittee on Corrections regarding the 7% vacancy savings for institutional employees.

JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

March 13, 2009

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03:17:53 **Vote:** Motion carried unanimously by voice vote.

03:18:07 Sen. Wanzenried

03:19:05 Mr. Evans

03:19:31 Sen. Wanzenried

03:19:38 Mr. Evans

03:19:56 Sen. Wanzenried

ADJOURNMENT

03:20:25 Adjournment: 11:32 P.M.

Bryce Bennett, Secretary

bb

Additional Exhibits:

Subcommittee Decision Packet

Additional Documents:

EXHIBIT(jhh56aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND
HUMAN SERVICES

DATE: 3/13/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
Representative Henry	✓	
Senator Lewis	✓	
Senator Esp	✓	
Representative Morgan	✓	
Representative Pease-Lopez	✓	
Representative Roberts	✓	
Senator Schmidt	✓	
Senator Wanzienried	✓	

EXHIBIT 1
 DATE 3/13/09
 HB 645

2000-2006 Rate of Suicide for Montana Counties

(per 100,000 people)

County # of Suicides Rate			County # of Suicides Rate		
County	Number	Rate	County	Number	Rate
BEAVERHEAD	17		MADISON	15	
BIG HORN	13	14.4	MEAGHER	2	14.6
BLAINE	12		MINERAL	7	
BROADWATER	5	16	MISSOULA	122	17.7
CARBON	11	16.1	MUSSELSHELL	9	
CARTER	1	10.7	PARK	30	
CASCADE	123		PETROLEUM	0	0
CHOUTEAU	5	12.7	PHILLIPS	6	
CUSTER	24		PONDERA	8	18.4
DANIELS	2	15	POWDER RIVER	3	
DAWSON	10	16.3	POWELL	10	
DEER LODGE	20		PRAIRIE	0	0
FALLON	5		RAVALLI	51	18.9
FERGUS	17		RICHLAND	11	16.9
FLATHEAD	124		ROOSEVELT	16	
GALLATIN	88	17	ROSEBUD	8	12.3
GARFIELD	0	0	SANDERS	23	
GLACIER	18	19.3	SHERIDAN	6	
GOLDEN VALLEY	0	0	SILVER BOW	56	
GRANITE	4		STILLWATER	9	15.3
HILL	16	13.9	SWEET GRASS	6	
JEFFERSON	12	16.1	TETON	4	9.1
JUDITH BASIN	4		TOOLE	8	
LAKE	37	19.2	TREASURE	0	0
LEWIS & CLARK	73	18.2	VALLEY	9	17.6
LIBERTY	0	0	WHEATLAND	5	
LINCOLN	29		WIBAUX	0	0
MCCONE	2	15.6	YELLOWSTONE	161	17.2

The compilation of the original Montana Strategic Suicide Prevention Plan was coordinated by Karl Rosston, LCSW.

This published plan is available through **Montana Department of Public Health and Human Services.**

Comments or Questions concerning the contents of this plan (or to receive a copy) should be directed to:

Karl Rosston, LCSW
Suicide Prevention Coordinator
Montana Department of Public Health and Human Services
555 Fuller Avenue
Helena, Montana 59620-2905
(406) 444-3349
krosston@mt.gov

EXHIBIT 1
DATE 3/13/09
HB 645

HOUSE OF REPRESENTATIVES

HEALTH AND HUMAN SERVICES SUBCOMMITTEE

WITNESS STATEMENT

PLEASE PRINT

NAME Rick Cottingham BUDGET _____

ADDRESS 928 Logan DATE 3-13-09

WHOM DO YOU REPRESENT? Youth of Montana

SUPPORT: _____ OPPOSE _____ AMEND ✓

COMMENTS:

I am looking to fund \$370K/yr
for the next two years to
continue Youth Suicide
Prevention in Montana Communities.

Medicaid Enrollment by Eligibility Category for Most Recent 24 Months

All Medicaid Eligibles Monthly Enrollment

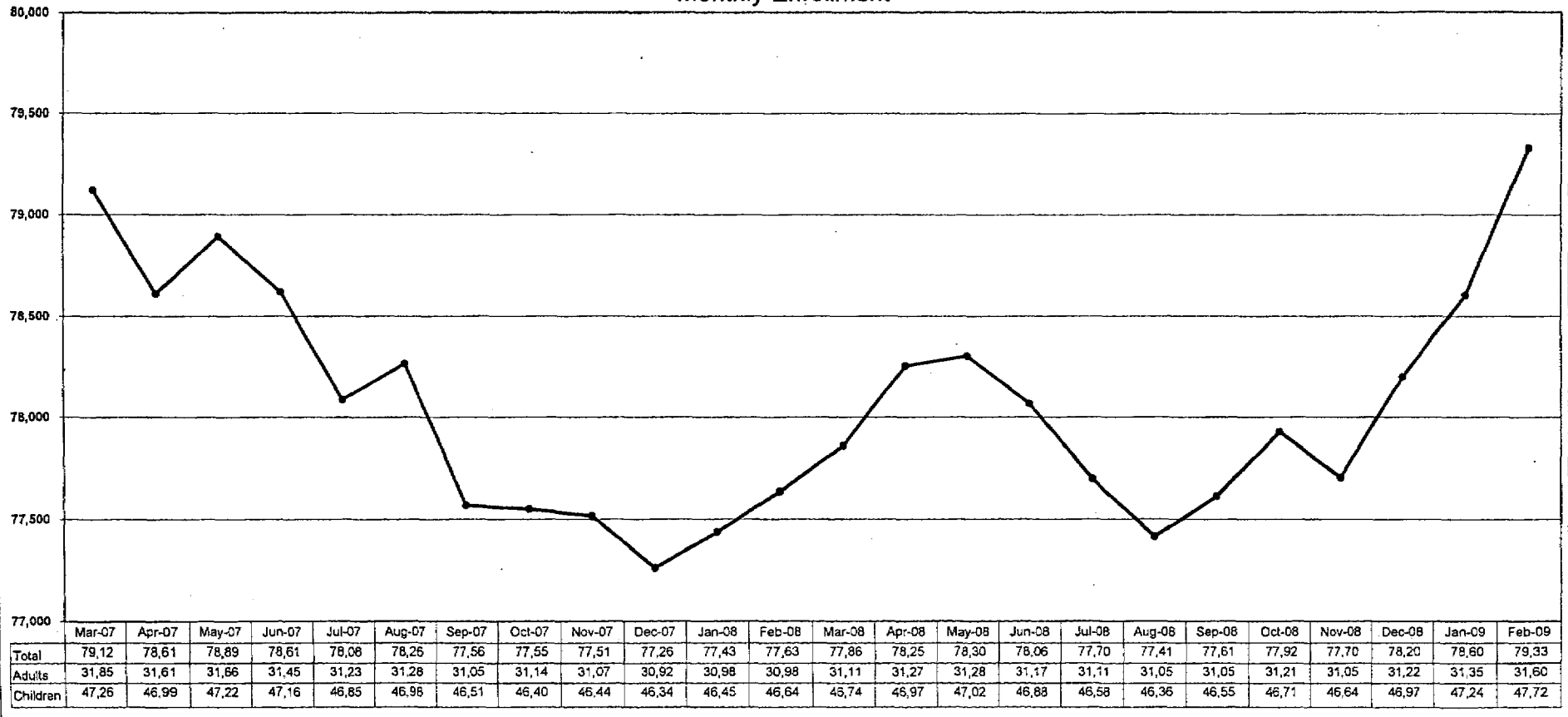


EXHIBIT 2
DATE 3/13/09
HB 645

DEPARTMENT OF
PUBLIC HEALTH AND HUMAN SERVICES



Brian Schweitzer
GOVERNOR

Anna Whiting Sorrell
DIRECTOR

STATE OF MONTANA

www.dphhs.mt.gov

PO BOX 4210
HELENA, MT 59604-4210
(406) 444-5622
FAX (406) 444-1970

TO: Teresa Henry, Chair Appropriations Subcommittee Health and Human Services

FROM: Anna Whiting Sorrell, Director DPHHS
Ryan Jose, Operations Research Analyst Supervisor

DATE: February 17, 2009

SUBJECT: Impacts of an Economic Downturn on Medicaid.

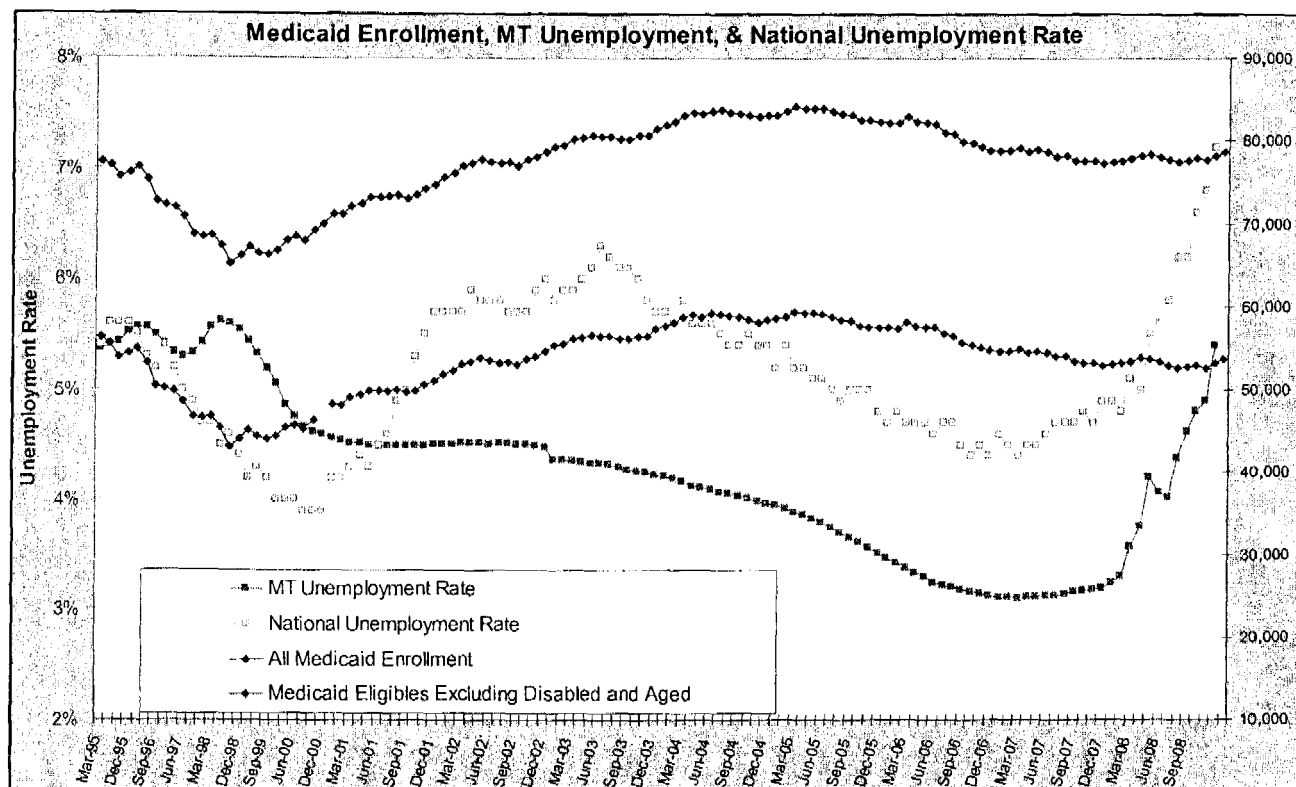
As the economy declines and unemployment increases, workers and dependents lose access to employer based insurance coverage. Studies show that an economic downturn and increases in unemployment will have the largest (Medicaid & CHIP) effect on non-disabled children and adults (up to age 64): this report and analysis will concentrate on the impacts to Montana Medicaid enrollment for this group of recipients.

DPHHS gathered national studies and contacted numerous states to see what is being developed and used by other health professionals and agencies to forecast enrollment impacts in the recent economic downturn. What was found is that, like Montana, other states are struggling with quantifying the impacts of the current economic situation. Many states are simply using best guess estimates based on long-term enrollment trends adjusted for recent short-term changes in enrollment or anecdotal evidence. Other states are utilizing correlation or linear (regression) relationship calculations between enrollment and unemployment levels.

The focus of this analysis is set around a national study prepared by the Urban Institute that utilizes a correlation or linear relationship methodology between unemployment and Medicaid and CHIP. However, the recommended Montana impacts also consider what other states are currently experiencing, along with contrasting the recommendations with historical Montana enrollment changes during periods of large growth as a reasonability check.

Unfortunately, Montana's enrollment data over the last 15 years does not show a noticeable parallel with unemployment levels. However, this does not necessarily mean that there is not a relationship or that correlation does not exist; or more importantly, that there will not be a strong association between unemployment levels and Medicaid and CHIP enrollment moving into the future. Historically, Montana unemployment has been stable with changes occurring slowly over time, while Medicaid and CHIP participation has been affected by program statutes, regulations, and procedures on both the state and national levels. It is likely that the

relationship between Montana enrollment and unemployment will be more evident with the current large and sudden change in the economy.



There are four main factors to calculating the estimated impacts of the economic downturn using unemployment levels as the lead indicator.

1. Project the number of people unemployed over the period.
2. Estimate a multiplier or ratio at which unemployed workers and their dependents will become eligible and enroll in Medicaid or CHIP.
3. Allocate the anticipated number of children enrolled between Medicaid and CHIP.
4. Approximate the lag time between when a person becomes unemployed and when they (and their dependents) would become eligible and enroll in Medicaid.

There are many issues to consider when assessing the impacts to Medicaid and CHIP during an economic downturn. Any projection will be exceptionally volatile because each of the four pieces to the calculation are estimates that will all have some degree of error inherently built-in. For example:

1. For every one-half percent (0.5%) change in the unemployment rate through the study period, enrollment and fiscal impacts would change by 15%.
2. For every 10% change in the ratio at which unemployed workers and their dependents become eligible and enroll in Medicaid, enrollment changes by 1,180 or \$5 million dollars at the peak of unemployment.

The following recommendations are estimates based on Montana specific economic data and information gathered from other states and national studies.

1. **Project the number of people unemployed over the period.** Forecasts from Global Insight are used as the basis for unemployment levels over the period.
2. **Estimate a multiplier or ratio at which unemployed workers and their dependents will become eligible and enroll in Medicaid or CHIP.** The Urban Institute estimates a national ratio of 65% (for every 100 new unemployed workers, Medicaid and CHIP would see 65 new enrollees). Recommend using the national ratio of 65% considering that (1) Montana's non-disabled children and adults saw analogous changes from 2000 to 2003; and (2) since Montana's historical unemployment rate does not show noticeable correlation, (see attached chart) and there is no consensus among states on estimating the impacts, there is little reason to expect a ratio different from the national average (Minnesota uses a 37% ratio, Georgia a 75% ratio, and Nevada a 120% ratio – while most other states use a flat 2% to 3% growth estimate).
3. **Allocate the anticipated number of children enrolled between Medicaid / CHIP.** Allocate anticipated increases to children's enrollment at sixty percent (60%) to Medicaid and forty percent (40%) to CHIP.
4. **Approximate the lag time between when a person becomes unemployed and when they would become eligible and enroll in Medicaid.** Recent information from other states indicates that the current economic downturn may be reducing the lag time between unemployment and enrolling in Medicaid or CHIP. Speculation is that the lag time is being reduced because the changes to the economy have been so substantive and sudden. There is some evidence that the lag time in Montana is between nine (9) and sixteen (16) months. We have chosen a lag time of nine (9) months.

The impacts associated with this analysis are in addition to natural growth and projected caseload without the economic downturn. The summary below lists Medicaid impacts only – it does not include CHIP. CHIP impacts were not included because the Department was not comfortable separating impacts of Initiative 155 implementation from this economic downturn projection.

At the recommended variable levels, Medicaid expenditures would be estimated to increase over current Medicaid projections by \$2.9 million in FY 2009, \$24.8 million in FY 2010, and \$32.1 million for 2011.

Recommended Impacts - Medicaid Only					
Unemployment to Medicaid or CHIP Ratio of 65% and Max Unemployment Rate of 6.26%					
9 month Lag	FY 2009*	FY 2010	FY 2011	FY 2012	FY 2013
Avg. number recipients per month	671	5,774	7,452	6,975	6,775
Avg. number recipients change prior year	671	5,103	1,678	-477	-200
Annual % change in recips. from prior year	0.9%	6.5%	2.0%	-0.6%	-0.3%
9 month lag estimated YEARLY cost	\$2,887,760	\$24,835,143	\$32,051,735	\$30,000,088	\$29,140,971
Estimated FMAP	66.12%	67.52%	67.06%	66.60%	66.17%
Estimated State Share	\$978,373	\$8,066,454	\$10,557,842	\$10,020,029	\$9,858,390

*SFY 2009 adjusting down by 50% on the basis of current completion factor.

While this analysis has many limitations, the numbers are suggestive of what Montana can expect as unemployment figures continue to rise.

Subcommittee Decision Document - HB 645 Recommendation

Division/Description	General Fund		<----Subcom Action----->			Fed Match	Notes
	FY 10	FY 11	Adopt	Restrict	Other Direction		
<u>Medicaid Issues</u>							
1 Reserve Allowable for Hold Harmless Component of FMAP	\$9,059,426	\$6,679,449					Create Medicaid Preservation SSR; transfer freed up general fund
2 FY 2009 Reserve Component	- 3,129,007						This amount could be funded from FY 2009 savings.
3 February Caseload Update - Subcommittee Recommendation	3,951,469	6,121,155				X	Match may change.
4 Unemployment Related Caseload Cost	5,677,314	8,947,242				X	FY 2009 = \$978,373; FY 2012 + \$10,020,029
5a Balance to Tie to HB 645 - Additional Recession Medicaid Cost	3,182,784	13,252,154				X	
Subtotal Medicaid Appropriation in HB 645	25,000,000	35,000,000					
<u>Language Conditioning Medicaid Appropriation</u>							
6c February Enrollment - 2011 Biennium Regular Costs							
Unemployment Related - Unemployment Rate? Enrollment Levels? More							
6d than 1 Level or Tier - Divide Item 4 into More than 1 Approp?							
<u>Multi Divisional</u>							
Offset Vacancy Savings at State Institutions							
7a State Hospital, Nursing Care Center, and MDC	1,736,279	1,745,545					
7b Vets' Home, Chemical Dependency Center (Currently SSR)	414,887	417,000					
6 Provider Rate Commission Study	1,000,000					X	
7 Provider Rate Commission Study/Rate Methodology Review	528,432	360,113				X	HB 399
8 Children's Mental Health Infrastructure Provider Rate Increase	3,000,000					X	
9 Frontier Access to Healthcare Pilot Program	500,000						
<u>Human and Community Services Division</u>							
8 Parents As Scholars	522,603	522,603					HB 577; 0.25 FTE
9 Support Rescue Missions	2,500,000	2,500,000					
<u>Child and Family Services Division</u>							
10 Support of Foster and Subsidized Adoptions Stipends	869,430	1,803,725				X	OTO
11 Minimum Adequate Rates for Foster Care (HB 353)	1,200,000	1,200,000				X	
12 Pilot: Public Health Nursing Service for Foster Children in 4 Counties	1,614,265	1,635,613				X	

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Subcommittee Decision Document - HB 645 Recommendation

Division/Description	General Fund		<-----Subcom Action----->			Fed Match	Notes
	FY 10	FY 11	Adopt	Restrict	Other Direction		
13 Contract for Staff Education with Family Find	15,000	15,000				X	
14 Pilot Project to Stabilize Foster Care Caseload - 5.00 FTE	178,406	178,406				X	
15 Education Public Defenders, CFSD, Courts and Stakeholders	120,657	120,657				X	
Director's Office							
16 Program to Aid in the Rescue of Vulnerable Populations							HB 643
Disability Services Division							
17 Provider Rate Increase	8,700,688	8,700,688				X	
18 Salary Increase for Providers' Staff (2,500+ FTE) OTO	5,000,000	5,000,000					
19 Family Support Specialists Salary and Benefit (112.00 FTE) OTO	280,000						Family support direct service did not receive 2007 incr.
20 Part C Provider Support		500,000					
21 Independent Living Youth Transitions Co-coordinator	50,000	50,000					
22 Big Sandy Activities - Building Support OTO	763,000	-763,000					Special legislation; shovel ready.
23 Pilot a Montana Radio Reading Service for the Blind	147,000	176,000					Funding would go the State Library Commission .
Public Health and Safety Division							
24 Infertility Prevention Pilot Project	150,000	150,000					Pilot project to implement CDC guidelines for treatment of chlamydia and gonorrhea for low-income persons accessing Title X Family Planning Clinics.
25 HIV Diagnostic Testing	89,877	89,877					
26 Local Public Health Sustainability	500,000	500,000					HB 173
27 Local Public Health Department Increased Funding	2,910,000	2,910,000					
28 Montana Genetics Testing - Equipment, Building, Salaries	835,000	835,000					Special legislation.
Health Resources							
29 System of Care/Kids Management Authorities Sustainability	441,252	441,252					
30 Systems of Care Sustainability/Fund Study in HB 234	750,000	750,000					
31 Systems of Care Sustainability	375,000	375,000					
32 Wrap Around Training	41,304	41,304					
33 Parent Leadership Training	24,948	24,948					

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Subcommittee Decision Document - HB 645 Recommendation

Division/Description	General Fund		<-----Subcom Action----->			Fed Match	Notes
	FY 10	FY 11	Adopt	Restrict	Other Direction		
34 Fund Development of Community Health Centers	650,000	650,000					
35 Montana Residentially-based Services Reform Pilot Project	3,515,000	3,515,000					2.00 FTE
36 Medicaid Provider Rate Increase - 3.5% for Hospitals	???	???				X	
37 Incentives for Dentists	72,200	72,200					HB 96
Senior and Long Term Care							
38 Provider Rate for Nursing Homes	1,300,000	2,700,000				X	
39 Provider Rate Increase for Assisted Living	220,000	446,000				X	
40 Provider Rate Increase for Direct Care Wages	1,117,000	1,117,000				X	
41 Nursing Home Quality Improvement and Safety Grants	1,100,000	1,100,000				X	Shovel ready?
42 Other Capital Improvement for Nursing Homes	???	???				X	Shovel ready?
43 Non Medicaid Aging Services	5,000,000	5,000,000					
44 Restore 2009 Biennium Aging Services	1,500,000	1,500,000					
45 4.00 New APS FTE - HB 543	400,000	400,000					HB 543
46 Traumatic Brain Injury Resource Facilitation Service	100,000	100,000					
47 Hi-Line Retirement Center Building Assistance	500,000						Special legislation; shovel ready.
Addictive and Mental Disorders Division							
48 Plan 189	400,000	400,000					
49 Grant Progr. - Local Crisis Services & Jail Diversion for Mentally Ill	1,250,000	1,250,000					HB 130
50 State contracting for Mental Health Emergency Detention Beds	410,500	410,500					HB 131
51 Diversion from Involuntary Commitment to Short-term Inpatient Treatment	1,700,000	1,700,000					HB 132
52 Jail Mental Health Crisis Network Standards Pilot Program	453,000						HB 60
53 Law Enforcement Crisis Intervention Training	51,000	51,000					
Western Montana Health Center - Gallatin Mental Health Center							
54 Housing for the Mentally Ill (4 Plex)	500,000						Special legislation.
55 Supportive Housing - Group Home	650,000						Special legislation.
56 Mental Health Drop-In Center	350,000						Special legislation.
57 Teen Suicide Prevention	370,000	370,000					

57

Subcommittee Decision Document - HB 645 Recommendation

Division/Description	General Fund		<----Subcom Action---->			Fed Match	Notes
	FY 10	FY 11	Adopt	Restrict	Other Direction		
Department Requests							
58 Technical Amendment for the Hospital Tax and Child Support Enforcement							Raise hospital tax amounts to match additional federal funds; reinstate child support enforcement GF in HB 2.
59 Offset General Fund for Meth Treatment Homes with Alcohol Tax	(143,004)	(53,146)					
60 Transitional Medicaid from 6 Months to 12 Months	196,432	248,020					
61 Add Funds for Eligibility Changes - Treatment of Assets for Indians	231,754	310,188					
Total General Fund Requests	\$82,151,911	\$88,092,494					

Federal Funds

Division/Description	Federal Funds		<-----Subcom Action----->			Notes
	FY 10	FY 11	Adopt	Restrict	Other Direction	
<u>Human and Community Services Division</u>						
62 Subsidized Employment (TANF stimulus funds - jobs for TANF recipients and associated staff/administration)	\$1,200,000	\$1,200,000				Authority to spend subsidized employment funding. It will not reduce page B-1 line 15 in HB 645.
63 Child Care Stars Program, Compensation to Providers, Affordability to Families - Child Care Development Block Grant	<u>1,000,000</u>	<u>1,000,000</u>				
Total Federal Fund Requests	<u>\$2,200,000</u>	<u>\$2,200,000</u>				

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND JUSTICE

Call to Order: Chairman Ray Hawk, on March 13, 2009 at 11:00
A.M., in Room 350 Capitol

ROLL CALL

Members Present:

Rep. Ray Hawk, Chairman (R)
Sen. Keith Bales (R)
Rep. Cynthia Hiner (D)
Rep. Bill Nooney (R)

Members Excused: None

Members Absent: Sen. John Brueggeman, Vice Chairman (R)
Sen. Steven Gallus (D)
Rep. Dennis Getz (D)

Staff Present: Debbie Carlson, Committee Secretary
Brent Doig, OBPP
Pat Gervais, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: 645, 3/10/2009

Executive Action: None

00:00:00 Chairman Hawk
00:01:07 Pat Gervais, Legislative Fiscal Division

EXHIBIT(jch56a01)

00:04:53 Rep. Nooney
00:04:58 Ms. Gervais
00:05:12 Chairman Hawk
00:05:15 Rep. Nooney
00:05:29 Ms. Gervais
00:05:53 Chairman Hawk
00:06:08 Rep. Hiner
00:06:30 Chairman Hawk
00:07:09 Ms. Gervais
00:08:40 Chairman Hawk
00:09:10 Ms. Gervais
00:09:54 Sen. Bales
00:10:10 Ms. Gervais
00:10:38 Chairman Hawk
00:10:53 Ms. Gervais
00:11:20 Chairman Hawk

ADJOURNMENT

00:11:29 Adjournment: 12:00 P.M.

Debbie Carlson, Secretary

dc

Additional Documents:

EXHIBIT(jch56aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
Judicial Branch, Law Enforcement and Justice Appropriations
SUBCOMMITTEE

DATE: 3-13-09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Representative Hawk (Chairman)	✓	
Senator Gallus		✓
Representative Getz		✓
Senator Brueggeman (Vice Chairman)		✓
Representative Hiner	✓	
Senator Bales	✓	
Representative Nooney	✓	

EXHIBIT 1
 DATE 3-13-09
 HB 645



ACTION DATE AS OF: 3/13/2009

JOINT APPROPRIATIONS SUBCOMMITTEE - JUDICIAL BRANCH, LAW ENFORCEMENT AND CORRECTIONS

Page No.	DP#	DP Name	FY 2010	General Fund FY 2011	Biennium	FY 2010	Total Funds FY 2011	Biennium	Shovel Ready	Job Creation	Stimulus	Technical
		EXECUTIVE HB RECOMMENDATIONS	3,679,846	27,709	3,707,556	4,734,193	27,709	4,761,902				
		SUBCOMMITTEE RECOMMENDED CHANGES										
		Exempt 24/7 institutional staff from vacancy savings	1,775,801	1,782,735	3,558,536	1,775,801	1,782,735	3,558,536	x	x	x	39 jobs
		Offset funding for vacancy savings by reduction in overtime costs	(550,000)	(550,000)	(1,100,000)	(550,000)	(550,000)	(1,100,000)	x	x	x	
		Fund Self-help (Court-help) law program	247,500	247,500	495,000	247,500	247,500	495,000	x	x	x	4 jobs
		Reduce vacancy savings for probation and parole officers	377,000	377,000	754,000	377,000	377,000	754,000	x	x	x	7% = 21 jobs, reduction to about 4% adds back 9 jobs
		Department of Justice - Crime Victims Compensation Grant	0	0	0	90,582	90,582	181,164	x	x		compensates victims for some out of pocket costs
			0									
		TOTAL SUBCOMMITTEE RECOMMENDATIONS	1,850,301	1,857,235	3,707,536	1,940,883	1,947,817	3,888,700				
		COMPARISON TO EXECUTIVE BUDGET	5,530,156	4,484,946	7,415,094	10,671,176	14,753,314	13,446,700				
		SUBCOMMITTEE NO ACTION										
		Corrections - Exempt 24/7 and/or direct service provision staff from vacancy savings	0	0	0	0	0	0	x	x		
		Self or Court Help Program	247,500	247,500	495,000	247,500	247,500	495,000	x	x		
		Department of Justice - Victims Compensation Grant	0	0	0	90,582	90,582	181,164				
		Contract provision regarding pay increments	0	0	0	0	0	0				
		Juvenile detention grant funding	0	0	0	0	0	0				
			0	0	0	0	0	0				
			0	0	0	0	0	0				
		TOTAL SUBCOMMITTEE NO ACTION	247,500	247,500	495,000	338,082	338,082	676,164				

Stimulus = Ongoing benefits to the economy

645

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

Call to Order: Chairman Bill McChesney, on March 13, 2009 at 8:00 A.M., in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Bill McChesney, Chairman (D)
Sen. Rick Laible, Vice Chairman (R)
Sen. Ken (Kim) Hansen (D)
Sen. Ryan Zinke (R)

Members Excused: Rep. Walter McNutt (R)
Rep. Bill Nooney (R)
Rep. Jon C. Sesso (D)

Members Absent: None

Staff Present: Mark Bruno, OBPP
Greg DeWitt, Legislative Branch
Shawn Graham, OBPP
Jennifer O'Loughlin, Secretary
Amy Sassano, OBPP
Matt Stayner, Legislative Branch
Lois Steinbeck, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Subjects Heard: HB 645: Governor's Office, Department of Administration, Department of Commerce, Department of Labor & Industry

Executive Action: None

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

March 13, 2009

PAGE 2 of 9

00:00:03 Chairman McChesney
00:00:50 Roll call
00:01:45 Chairman McChesney

00:03:18 Roxanne Minnehan, Executive Director, Montana Public
Retirement Board
00:06:19 Chairman McChesney

00:09:00 Break
00:11:06 Reconvene

GOVERNOR'S OFFICE

00:11:14 Chairman McChesney
00:13:31 Sen Laible
00:14:59 Chairman McChesney
00:15:34 Sen. Zinke

Personal Contingency Fund

00:17:07 Chairman McChesney
00:17:31 Sen. Laible
00:18:04 Chairman McChesney
00:18:32 Sen. Laible
00:19:10 Chairman McChesney
00:19:15 Sen. Laible
00:19:49 Mark Bruno, OBPP

DEPARTMENT OF ADMINISTRATION

Teachers Retirement System

00:19:59 Chairman McChesney
00:20:26 Sen. Zinke
00:21:12 Sen. Laible
00:22:24 Chairman McChesney
00:24:20 Greg DeWitt, Legislative Fiscal Division
00:24:39 Chairman McChesney
00:24:50 Sen. Laible
00:25:06 Chairman McChesney
00:25:30 Sen. Laible
00:27:07 Chairman McChesney
00:27:20 Mr. DeWitt

DEPARTMENT OF COMMERCE

Affordable Housing Program

00:27:36 Chairman McChesney
00:28:34 Andy Poole, Deputy Director, Department of Commerce
00:28:58 Bruce Brensdal, Administrator, Housing Division
00:29:29 Sen. Laible
00:30:14 Chairman McChesney
00:30:46 Sen. Laible
00:31:52 Chairman McChesney
00:31:57 Mr. Poole
00:32:12 Sen. Zinke
00:34:23 Sen. Hansen
00:34:50 Chairman McChesney
00:35:05 Sen. Zinke
00:35:17 Chairman McChesney
00:35:47 Shawn Graham, OBPP
00:35:57 Amy Sassono, OBPP
00:36:40 Sen. Laible
00:37:07 Ms. Sassono
00:37:16 Sen. Laible
00:37:27 Ms. Sassono
00:37:36 Sen. Laible
00:37:51 Ms. Sassono
00:38:02 Sen. Laible
00:38:08 Ms. Sassono
00:38:14 Sen. Laible
00:38:25 Chairman McChesney
00:38:34 Sen. Laible
00:39:03 Sen. Zinke
00:39:32 Sen. Laible
00:39:37 Sen. Zinke
00:39:42 Chairman McChesney
00:40:06 Alec Hansen, League of Cities and Towns

EXHIBIT(jgh56a01)

00:48:09 Sen. Hansen
00:48:28 Mr. Hansen
00:49:21 Sen. Hansen
00:49:32 Mr. Hansen
00:50:23 Sen. Laible
00:51:55 Mr. Hansen
00:53:09 Sen. Zinke
00:54:32 Mr. Hansen

High-Performance Computing

00:55:17 Chairman McChesney
00:55:57 Sen. Zinke

00:56:03 Sen. Laible

DEPARTMENT OF LABOR AND INDUSTRY

Main Street Program

00:56:14 Chairman McChesney

New and Incumbent Worker Training

00:56:44 Chairman McChesney

Tribal Economic Development

00:57:04 Chairman McChesney:

00:57:13 Sen. Laible

00:58:24 Sen. Zinke

01:00:10 Chairman McChesney

01:00:36 Matt Staynor, Legislative Branch

01:01:16 Chairman McChesney

01:01:21 Sen. Hansen

01:01:37 Mr. Poole

01:05:58 Sen. Laible

01:07:11 Mr. Poole

01:09:37 Sen. Laible

01:10:25 Chairman McChesney

Distressed Wood Products Industry

01:11:52 Chairman McChesney

01:12:01 Sen. Laible

01:12:20 Chairman McChesney

01:12:51 Sen. Laible

DEPARTMENT OF COMMERCE

Community Development Block Grant Program

01:13:02 Chairman McChesney

01:13:26 Mr. Staynor

01:14:02 Sen. Laible

01:14:23 Mr. Staynor

Energy Promotion and Development Division

01:14:28 Chairman McChesney

01:14:58 Mr. Staynor

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01:15:24 Sen. Laible
01:15:39 Mr. Staynor
01:15:45 Sen. Laible
01:15:52 Mr. Staynor
01:16:57 Sen. Laible
01:17:29 Mr. Staynor
01:17:46 Shawn Graham, OBPP
01:18:08 Sen. Laible
01:18:12 Chairman McChesney
01:18:47 Mr. Poole
01:21:59 Sen. Laible
01:22:14 Chairman McChesney
01:23:06 Sen. Laible
01:23:58 Mr. Poole
01:25:09 Sen. Zinke

Treasure State Endowment Program (TSEP)

01:26:22 Chairman McChesney
01:26:30 Sen. Laible
01:27:07 Mr. Staynor
01:27:22 Sen Laible

Housing Division: Tax Credit Assistance Program

01:27:32 Chairman McChesney

Housing Credit Exchange

01:27:47 Chairman McChesney

Broadband Matching Grants

01:27:53 Chairman McChesney
01:27:58 Sen. Zinke
01:29:04 Sen. Laible
01:29:59 Sen. Hansen
01:30:23 Sen. Zinke
01:30:27 Chairman McChesney
01:32:08 Sen. Zinke
01:32:47 Sen. Laible
01:33:53 Chairman McChesney
01:35:05 Sen. Zinke
01:35:48 Sen. Laible
01:36:48 Mr. Poole
01:37:18 Chairman McChesney
01:38:01 Mr. Staynor
01:38:38 Mark Bruno, OBPP
01:39:00 Chairman McChesney

01:39:19 Mr. Graham
01:40:01 Sen. Laible

01:41:03 Break
02:03:24 Reconvene

Continuation of Broadband Discussion

02:03:39 Chairman McChesney
02:03:58 Sen. Laible
02:04:05 Chairman McChesney
02:05:04 Dave Gibson, Qwest
02:06:35 Chairman McChesney
02:06:47 Mr. Poole
02:07:02 Sen. Laible
02:07:09 Mr. Gibson

Distressed Wood Products Industry

02:08:11 Sen. Laible
02:08:32 Ellen Simpson, Montana Wood Products Association
02:10:05 Chairman McChesney
02:10:13 Mr. Poole
02:10:24 Mr. Bruno
02:10:30 Chairman McChesney

School Facilities Program

02:10:40 Chairman McChesney
02:11:13 Mr. Poole
02:12:04 Chairman McChesney
02:12:36 Mr. Poole
02:12:58 Chairman Lake
02:13:02 Sen. Laible
02:15:41 Sen. Zinke
02:16:59 Sen. Hansen
02:17:37 Sen. Laible
02:18:50 Chairman McChesney
02:19:10 Mr. Poole
02:19:54 Sen. Zinke
02:20:30 Sen. Laible
02:20:59 Chairman McChesney
02:21:20 Sen. Zinke
02:21:25 Sen. Laible
02:21:49 Mr. Poole
02:22:00 Sen. Laible

DEPARTMENT OF LABOR AND INDUSTRY

Unemployment Insurance Modernization

02:22:20 Chairman McChesney:
02:23:03 Keith Kelly, Director, Department of Labor and Industry
(DLI)
02:27:19 Chairman McChesney
02:27:24 Mr. Kelly
02:30:29 Sen. Laible
02:31:22 Mr. Kelly
02:31:45 Sen. Laible
02:32:29 Mr. Kelly
02:32:46 Sen. Hansen
02:33:03 Mr. Kelly
02:34:01 Sen. Zinke
02:34:13 Mr. Kelly
02:34:30 Sen. Zinke
02:34:36 Mr. Kelly
02:35:16 Sen. Zinke
02:35:51 Mr. Kelly
02:35:57 Sen. Zinke
02:36:34 Mr. Kelly
02:37:17 Sen. Zinke
02:37:26 Sen. Laible
02:38:05 Mr. Kelly
02:38:49 Sen. Laible
02:39:11 Mr. Kelly
02:39:51 Sen. Laible
02:40:26 Mr. Kelly
02:41:28 Sen. Laible
02:41:44 Mr. Kelly
02:42:08 Sen. Zinke
02:42:19 Mr. Kelly
02:42:56 Sen. Zinke
02:43:09 Chairman McChesney
02:43:17 Sen. Zinke
02:43:39 Sen. Laible

Fund Reallocation

02:44:11 Chairman McChesney
02:44:32 Sen. Laible
02:45:23 Chairman McChesney
02:45:42 Sen. Zinke
02:45:59 Chairman McChesney
02:48:48 Sen. Laible
02:51:10 Chairman McChesney
02:51:18 Sen. Zinke

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02:52:15 Mr. Bruno
02:52:38 Sen. Hansen
02:53:18 Sen Zinke
02:53:37 Sen. Laible outlined actual allocation amounts.
02:54:53 Mr. Staynor
02:55:06 Sen. Laible
02:55:36 Mr. Staynor
02:55:48 Mr. Hansen
02:56:11 Sen. Laible
02:56:23 Mr. Staynor

ADJOURNMENT

02:57:47 Adjournment: 11:20 P.M.

Jennifer O'Loughlin, Secretary

jo

Additional Exhibits:

EXHIBIT(jgh56a02) Existing and planned Montana housing projects

Additional Documents:

EXHIBIT(jgh56aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
GENERAL GOVERNMENT SUBCOMMITTEE

DATE: 3/13/2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. BILL McCHESNEY	✓	
SEN. RICK LAIBLE, VICE CHAIR	✓	
SEN. KEN HANSEN	✓	
REP. WALTER McNUTT		✓
REP. BILL NOONEY		✓
REP. JON SESSO		✓
SEN. RYAN ZINKE	✓	

EXHIBIT 1
DATE 3-13-09
HS 645

CITY SFY 2009
M.C.A. 15-70-101 ALLOCATION OF FUEL TAX REVENUE TO CITIES
SECTION 15-70-101, M.C.A.
\$10,360,000.00 FOR FISCAL YEAR BEGINNING JULY 1, 2008

City	ALLOCATION
ALBERTON	\$10,398.65
ANACONDA	\$106,636.52
BAINVILLE	\$11,020.78
BAKER	\$47,385.17
BEARCREEK	\$4,086.05
BELGRADE	\$125,405.64
BELT	\$13,785.30
BIG SANDY	\$22,719.79
BIG TIMBER	\$45,030.71
BILLINGS	\$1,730,921.33
BOULDER	\$35,079.53
BOZEMAN	\$630,724.20
BRIDGER	\$20,527.69
BROADUS	\$15,935.48
BROADVIEW	\$5,856.27
BROCKTON	\$6,185.15
BROWNING	\$21,832.60
BUTTE	\$603,109.38
CASCADE	\$18,003.92
CHESTER	\$25,043.58
CHINOOK	\$34,694.42
CHOTEAU	\$53,820.74
CIRCLE	\$21,146.63
CLYDE PARK	\$10,635.84
COLSTRIP	\$48,690.12
COLUMBIA FALLS	\$91,166.94
COLUMBUS	\$49,803.75
CONRAD	\$61,112.49
CULBERTSON	\$20,366.83
CUT BANK	\$65,951.05
DARBY	\$16,743.14
DEER LODGE	\$76,431.01
DENTON	\$11,288.03
DILLON	\$82,818.12
DODSON	\$5,935.70
DRUMMOND	\$8,957.73
DUTTON	\$12,708.33
EAST HELENA	\$44,467.20
EKALAKA	\$15,857.17
ENNIS	\$24,047.72
EUREKA	\$24,328.72
FAIRFIELD	\$17,605.61
FAIRVIEW	\$25,972.56
FLAXVILLE	\$4,519.32
FORSYTH	\$52,514.68
FORT BENTON	\$49,248.47
FORT PECK	\$13,808.73

FROID	\$9,922.67
FROMBERG	\$11,602.06
GERALDINE	\$12,317.50
GLASGOW	\$67,826.75
GLENDIVE	\$98,370.81
GRASS RANGE	\$5,618.56
GREAT FALLS	\$1,012,152.86
HAMILTON	\$90,675.50
HARDIN	\$72,263.85
HARLEM	\$20,425.95
HARLOWTON	\$27,930.66
HAVRE	\$170,519.86
HELENA	\$551,240.59
HINGHAM	\$7,479.48
HOBSON	\$10,253.02
HOT SPRINGS	\$18,608.86
HYSHAM	\$11,111.36
ISMAY	\$4,088.57
JOLIET	\$12,653.08
JORDAN	\$14,495.04
JUDITH GAP	\$6,786.18
KALISPELL	\$354,677.51
KEVIN	\$9,958.15
LAUREL	\$126,414.98
LAVINA	\$8,332.31
LEWISTOWN	\$134,527.60
LIBBY	\$62,184.81
LIMA	\$11,013.64
LIVINGSTON	\$147,440.70
LODGE GRASS	\$12,776.56
MALTA	\$48,796.65
MANHATTAN	\$40,046.79
MEDICINE LAKE	\$11,482.74
MELSTONE	\$6,771.76
MILES CITY	\$181,625.01
MISSOULA	\$1,070,443.38
MOORE	\$9,536.63
NASHUA	\$13,488.52
NEIHART	\$4,403.89
OPHEIM	\$7,404.09
OUTLOOK	\$5,321.35
PHILIPSBURG	\$29,198.77
PINESDALE	\$20,227.14
PLAINS	\$26,640.10
PLENTYWOOD	\$43,169.02
PLEVNA	\$6,685.62
POLSON	\$101,344.13
POPLAR	\$19,858.87
RED LODGE	\$60,475.12
REXFORD	\$3,401.82
RICHEY	\$8,926.20
RONAN	\$42,403.70

ROUNDUP	\$55,052.68
RYEGATE	\$10,142.42
SACO	\$9,821.93
SAINT IGNATIUS	\$18,744.38
SCOBEY	\$31,812.06
SHELBY	\$94,682.43
SHERIDAN	\$16,928.64
SIDNEY	\$110,933.67
STANFORD	\$15,826.53
STEVENSVILLE	\$36,063.17
SUNBURST	\$19,007.64
SUPERIOR	\$25,305.84
TERRY	\$30,805.56
THOMPSON FALLS	\$38,328.32
THREE FORKS	\$48,052.50
TOWNSEND	\$42,176.96
TROY	\$21,582.66
TWIN BRIDGES	\$11,395.21
VALIER	\$26,604.53
VIRGINIA CITY	\$12,465.81
WALKERVILLE	\$26,825.09
WEST YELLOWSTONE	\$30,123.07
WESTBY	\$6,239.29
WHITE SULPHUR SPRINGS	\$35,478.37
WHITEFISH	\$156,027.73
WHITEHALL	\$25,924.66
WIBAUX	\$18,702.45
WINIFRED	\$7,603.84
WINNETT	\$11,240.50
WOLF POINT	\$56,452.50
TOTALS	\$10,360,000.00

A.D.

MONTANA
Department of Commerce

HOUSING DIVISION

P.O. Box 200528 ★ Helena, Montana 59620-0528 ★ <http://www.housing.mt.gov>
Phone: 406-841-2840 ★ 1-800-761-6264 ★ Fax: 406-841-2841 ★ TDD: 406-841-2702

EXHIBIT 2
DATE 3-13-09
BY 645

MEMO

DATE: March 12, 2009

TO: Chairman McChesney

FROM: Anthony J. Preite Director MT. DOC

RE: Follow-up on Questions at HB645 Hearing on Housing

Please find attached several sheets showing housing projects around the state of Montana that are in the pipeline for development or existing projects.

The first chart shows projects that are being developed and an indication of where they are in development and the funding shortfalls they are experiencing

The last three sheets show existing affordable housing around the state that have been operating for 20 or more years in need of rehabilitation for energy and modernization.

If you have any questions you may contact me or Bruce Brensdal Housing Division Administrator at bbrensdal@mt.gov or 406-841-2844.

Thank-you

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Montana Housing Projects
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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Transitional Living Apartment Housing	Dec-09	Apr-10	\$1,576,102	\$465,831	\$2,041,933
Location	Mountain Home Montana - Missoula					
Type of Project	New Construction					
Description	Transitional living apartment building and common area for low income single-parent households. Two story building with connection to city utilities and services.					
Number of Units	Two - 2 bedroom units and three - 1 bedroom units					
Project Name	UCI Assisted Living Facility	Jul-09	Oct-09	\$1,694,000	\$0	\$1,694,000
Location	Rosebud County - Forsyth					
Type of Project	Acquisition/Rehabilitation					
Description	Renovation of empty public school facility into 14 apartments. 1/2 of units will be HOME-assisted.					
Number of Units	14 Apartments					
Project Name	Eagles Manor II	Complete	Present	\$6,629,756	\$579,000	\$7,208,000
Location	Rocky Mountain Development Council (RMDC) - Helena					
Type of Project	Multi-family, preservation, rehab					
Description	53 unit, well used, poorly configured apartment building					
Number of Units	As reconfigured, 44 unit facility					
Project Name	Courtyard Apartments	early 2010	mid 2010	\$1,800,000		\$1,800,000
Location	Kalispell					
Type of Project	Acquisition/Rehab/Rehab					
Description	City-side 16 units Multi-family					
Number of Units	16 acquisition and 32 rehabilitation					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Jordan 4-plex - Action for Eastern MT				\$150,000	\$150,000
Location	Jordan					
Type of Project	MF 4-plex rehab					
Description	The owner has walked off and the building needs rehabbed. This property is very important to Jordan as it provides housing for low income residents of the town.					
Number of Units	4					
Project Name	Caird/Midtown Residences	Jul-09	Spring 2010	\$11,084,500	\$1,297,000	\$8,512,000
Location	RMDC - Helena					
Type of Project	New Construction					
Description	Reclaim urban blight - Brownfield Cleanup - Redevelop as low income housing - three phase project					
Number of Units	55 - 60					
Project Name	Rural Development Preservation Project 1		Fall/Winter 2009	\$0	\$450,000	\$450,000
Location	Townsend					
Type of Project	Acquisition/Rehab					
Description	Acquire and preserve an RD project - the owner wants to opt out of program. Preserve as low income housing					
Number of Units	10					
Project Name	Wolf Point Senior Housing	Jan-10	Mar-11	\$2,900,000	\$600,000	\$3,500,000
Location	Wolf Point, MT					
Type of Project	Multi-family New Construction					
Description	Proposed Senior Living Facility - mostly 2-bedroom or 1-bedroom with study					
Number of Units	16-24					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Studio Apartments	Complete	Jun-09	\$100,000	\$500,000	\$600,000
Location	Bozeman MT					
Type of Project	New Construction					
Description	Permanent Housing/ Four-Plex					
Number of Units	four - 1 bedroom Units					
Project Name	Tom Peluso Group Home	Complete	Summer 2009	\$100,000	\$550,000	\$650,000
Location	Bozeman MT					
Type of Project	New Construction					
Description	Supportive Housing					
Number of Units	6 - 8 bedrooms with private baths					
Project Name	Whitefish Area Land Trust - Homebuyer Purchase	2009-2010	2009-2010	\$2,411,873	\$0	\$2,411,873
Location						
Type of Project	Scattered Site - Single Family Purchase					
Description	Scattered Site - Single Family Purchase					
Number of Units	10					
Project Name	Eagles Manor III	Complete	Mar-09	\$1,125,000	\$75,000	\$4,200,000
Location	Helena MT					
Type of Project	Senior Multi-family New Construction					
Description	Phase III					
Number of Units	26 2-bedroom, 12 1-bedroom					
Project Name	Baker Housing Rehabilitation and Demolition	2009-2010	2009-2010	\$872,183	\$0	\$872,183
Location	City of Baker					
Type of Project	Housing Rehabilitation and Demolition					
Description	Housing Rehabilitation and Demolition					
Number of Units	Rehab 28 units, Demolish 5 units					
Project Name	Makoshika Estates			\$2,517,250	\$110,000	\$2,627,250
Location	Glendive					
Type of Project	New Construction					
Description	Senior Housing (55+)					
Number of Units	18					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Castle Mountain Housing		May-09	\$1,263,123	\$1,586,000	\$2,849,123
Location	White Sulphur Springs					
Type of Project	New Construction					
Description	Senior Housing (55+)					
Number of Units	10					
Project Name	Oulette Place		May-09	\$4,880,000	\$548,765	\$5,443,765
Location	Lewistown MT					
Type of Project	New Construction and Acquisition/Rehab					
Description	Multi-family					
Number of Units	24					
Project Name	Mountain View III		Oct-09	\$6,048,950	\$104,304	\$6,153,154
Location	Hamilton MT					
Type of Project	New Construction					
Description	Multi-family					
Number of Units	46					
Project Name	Glacier State Associates		Jan-09	\$7,408,277	\$195,949	\$7,604,226
Location	Kalispell					
Type of Project	Acquisition/Rehab					
Description	Senior Housing (55+)					
Number of Units	99					
Project Name	Cornerstone/Fanahan			\$4,058,307	\$72,800	\$4,131,107
Location	Miles City MT					
Type of Project	Acquisition/Rehab					
Description	Multi-family					
Number of Units	21					
Project Name	Ronan Transitional Living Center	Complete	Within 120 days of fund allocation	\$200,000	\$900,000	\$1,100,000
Location	Ronan MT					
Type of Project	Multi-family New Construction					
Description	Multi-family facility for individuals in need of transitional housing					
Number of Units	10 1-bedroom and one 2-bedroom unit					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	R & J Subdivision	Complete	Upon Financing	\$900,000	\$809,000	\$1,400,000
Location	Ronan MT					
Type of Project	Single Family, New Construction					
Description						
Number of Units	24 Single Family homes, 10 duplex for rent					
Project Name	Action for Eastern MT				\$35,000	\$35,000
Location	Circle					
Type of Project	Drug Store burned and needs cleaned					
Description						
Number of Units						
Project Name	Action for Eastern MT				\$90,000	\$90,000
Location	Scobey					
Type of Project	main street blight removal					
Description	needs to be demolished to allow for new construction					
Number of Units						
Project Name	AWARE CHDO Billings Intensive Group Homes Project			\$500,000	\$1,000,000	\$1,500,000
Location	Billings MT					
Type of Project	Acquisition					
Description	AWARE currently provides intensive group home services for 20 adults with severe developmental disabilities in 5 leased homes. The focus is to acquire these homes for permanent availability and affordable to these Montana citizens with severe disabilities allowing them to live in the community with appropriate support services.					
Number of Units	20 intensive group home placements in five homes					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Action for Eastern MT				\$35,000	\$35,000
Location	Wolf Point					
Type of Project	removal of burned building on Main Street					
Description						
Number of Units						
Project Name	Sand Hills Apartments Phase 2			\$376,000	\$395,011	\$771,011
Location	Great Falls Housing Authority (GFHA), Great Falls					
Type of Project	New Construction					
Description	One Four-Plex, rent subsidies will be available for qualified GFHA Section 8 Housing Choice Voucher Program participants					
Number of Units	Four - 2 bedroom handicap accessible					
Project Name	Dorothy Eck House			\$430,172	\$77,000	\$507,172
Location	Garden City CHDO - Bozeman					
Type of Project	Acquisition					
Description	One Four-Plex, serving individuals needing mental health treatment in Bozeman and Gallatin County					
Number of Units	Four - 1 bedroom					
Project Name	Hot Springs	Fall 2009	Spring 2010	\$2,140,000	\$500,000	\$2,640,000
Location	homeWORD - Hot Springs					
Type of Project	SF acq/renovation					
Description	Partnership project with city of Hot Springs and homeWORD. Hot Springs needs workforce housing. There is a severe lack of housing options within Hot Springs. Community identified single family homeownership options					
Number of Units	8-12 SF					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Mountain View Apartments			\$473,422	\$1,538,845	\$2,012,267
Location	Public Housing Authority of Butte - Butte					
Type of Project	New Construction					
Description	The project consists of one and two story designs for two duplex, one triplex and one four-plex. The energy efficient units will be developed on four scattered, donated, vacant infill parcels in historic Uptown Butte					
Number of Units	11 units					
Project Name	Ouellette Place	complete	summer 2009	\$5,032,000	\$400,000	\$5,432,000
Location	Lewistown					
Type of Project	538 MFH - new construction					
Description	Partnership with Lewistown Community Development Corporation and homeWORD. 24 units of LIHTC housing. One 8 unit building renovation, two 8 unit buildings of new construction. Projects awarded 2007 credits, returned and restructured for 2009 application. Project ready to break ground when funding secured (gap funding would reduce permanent mortgage and operation risks for project in rural community)rehabilitation of historic existing nurses' quarters plus two new buildings					
Number of Units	24					
Project Name	Rural Development Preservation Project #2	underway		\$0	\$150,000	\$150,000
Location	RMDC - Townsend					
Type of Project	Acq. Rehab. Preservation					
Description	Acquire and preserve an RD project - the owner wants to opt out of program					
Number of Units	16					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Big Boulder Apartments	fall 2009	spring 2010	\$7,130,000	\$790,000	\$7,920,000
Location	RMDC - Boulder					
Type of Project	acq / rehab / new construction					
Description	a worn out Low Income rental property needs to be replaced					
Number of Units	36					
Project Name	Equinox Phase II	complete	Summer 2009	\$12,800,000	\$1,200,000	\$14,000,000
Location	homeWORD - Missoula					
Type of Project	MF new construction					
Description	This is the second phase of homeWORD's Equinox project (infill redevelopment of grey field blighted parcel). Mixed-use/mixed-income project including commercial office space for homeWORD and new Home Ownership Center, additional non-profit office space, affordable rental units and market rate rental or workforce ownership units.					
Number of Units	32 affordable units, 12 units of market rental or affordable homeownership					
Project Name	Billings affordable homeownership	Fall 2009	Spring 2010	\$875,000	\$300,000	\$1,175,000
Location	homeWORD - Billings					
Type of Project	SF acq/renovation or new construction					
Description	homeWORD project working with City of Billings to five (5) affordable homeownership units.					
Number of Units	5 SF					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Anaconda-Deer Lodge County	Spring/Summer Jul-05	Fall 2009	\$6,730,000	\$770,000	\$8,000,000
Location	homeWORD - Anaconda		Spring 2010			
Type of Project	SF and MF acq/rehab or renovation (multiple projects)					
Description	Partnership project with consolidated City/County of Anaconda-Deer Lodge and homeWORD. Anaconda has one of the highest foreclosure rates in Montana. Multiple projects are anticipated for low to moderate incomes, workforce housing included. Single Family foreclosure acquisition rehab for affordable rental or ownership, land/building acquisition for future LIHTC project					
Number of Units	10-14 SF, 18-24 MF					
Project Name	Seeley Swan Senior Housing	Spring 2010	Fall 2010	\$3,000,000	\$600,000	\$3,600,000
Location	homeWORD - Seeley Lake					
Type of Project	MF new construction					
Description	Partnership project with Seeley Swan Medical Clinic and homeWORD. Independent living for seniors in Seeley Swan area. Mixed income project that coordinates services as needed for individuals. Age in place design intended. Clinic expansion for additional services planned. Existing clinic immediately adjacent to the building site.					
Number of Units	12 - 16 units					

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PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	homeWORD			\$0		
Location						
Type of Project						
Description	**Joint venture proposed with HRDC Bozeman for proposed projects in Park, Meagher, and Gallatin Counties. Multi-family rental identified as initial need. No project details to report in this list.					
Number of Units		pending funds		\$2,700,000	\$500,000	\$3,200,000
Project Name	Montana Home Choice Coalition Homeownership Assistance Initiative for Persons with Disabilities: Creating homeownership opportunities for Montanans across the disability and age spectrum					
Location	Statewide in communities across the state of Montana					
Type of Project	Homeownership downpayment assistance with some physical accessibility modification rehab					
Description	Individuals and families with disabilities will be provided home buyer assistance necessary for them to afford a home purchase. Limited rehab work for physical accessibility will be included as necessary.					
Number of Units	25 homes					
Project Name	Missoula Housing Authority Replacement Public Housing	8/2009 to 3/2010	May-10	\$2,400,000	\$800,000	\$3,200,000
Location	Garden Homes Subdivision, Missoula					
Type of Project	MF new construction					
Description	Elevator building with emphasis on 1 & 2 bedroom units and accessibility, including 2 3-bdrm accessible					
Number of Units	20					

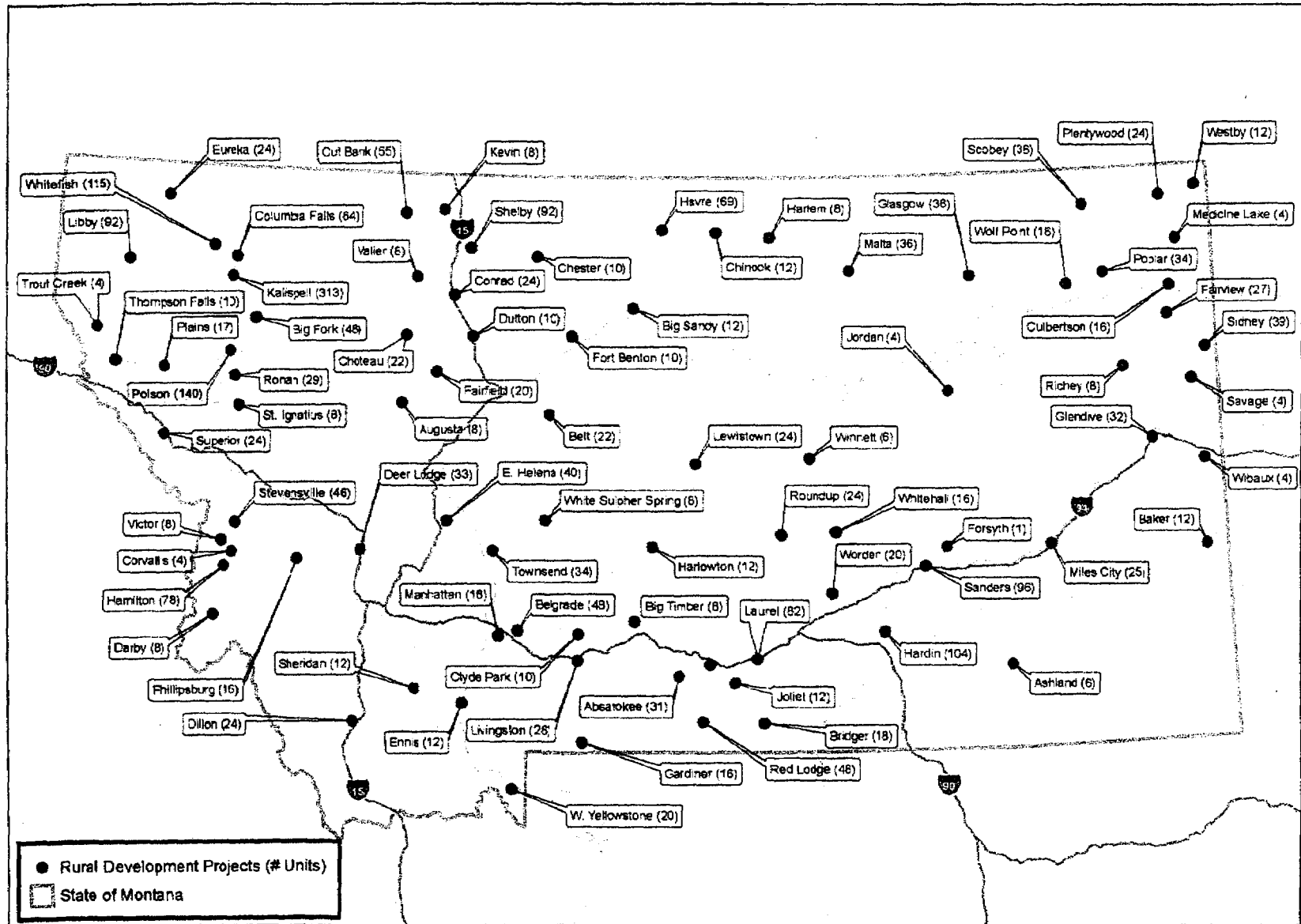
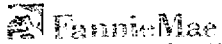
Joint Appropriations Subcommittee
61st Montana Legislature
Montana Housing Projects
March 13, 2009

PROJECT INFORMATION		Preliminary Engineering and Design	Construction	Other Funding	Funding Gap	Total Project Cost
Project Name	Whitetail Run	complete	Fall 2009	\$6,529,918	\$1,000,000	\$7,277,918
Location	Billings Housing Authority - Billings					
Type of Project	MF new construction					
Description	2 four bedroom, 10 three bedroom, 20 two bedroom, 30% - 60% of Universal Design lower units, four plexes on 2.4 acres that the Housing Authority owns outright in its Whitetail Square subdivision. These units will have many green elements and will assist many low- income in the Billings community.					
Number of Units	32					

**MONTANA DEPARTMENT OF COMMERCE
HOUSING DIVISION MOD/REHAB SECTION 8
8-Jan-09**

Jurisdiction	County/	Brief Project Description
Helena	Lewis & Clark	Mod Rehab/Section 8 - Atlas Block, 24 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - El C:N, 12 Family Units
Helena	Lewis & Clark	Mod Rehab/Section 8 - Baker, 11 Family Units
Missoula	Missoula	Mod Rehab/Section 8 - Belmont Hotel, 24 Family Units
Lewistown	Fergus	Mod Rehab/Section 8 - Boulevard Apartments, 15 Family Units
Bozeman	Gallatin	Mod Rehab/Section 8 - Boulevard Apartments, 39 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Chelsea Apartments, 6 Family Units
Chinook	Blaine	Mod Rehab/Section 8 - Corner Apartments, 9 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Elmore/Roberts, 20 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Elmore/Roberts, 40 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Franklin School, 10 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Franklin School, 28 Family Units
Butte	Silver Bow	Mod Rehab/Section 8 - Jackson Apartments, 9 Family Units
Billings	Yellowstone	Mod Rehab/Section 8 - Lewis Apartments, 20 Family Units
Butte	Silver Bow	Mod Rehab/Section 8 - Maryland Apartments, 8 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - McAllister, 5 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Mission Terrace Apartments, 8 Family Units
Billings	Yellowstone	Mod Rehab/Section 8 - Moritz, 6 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Murphy, 6 Family Units
Billings	Yellowstone	Mod Rehab/Section 8 - Norsworthy, 13 Family Units
Lewistown	Fergus	Mod Rehab/Section 8 - Pinecrest Apartments, 10 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Regina Apartments, 5 Family Units
Great Falls	Cascade	Mod Rehab/Section 8 - Rose Apartments, 12 Family Units
Polson	Lake	Mod Rehab/Section 8 - Uptown Apartments, 7 Family Units

Rural Development Projects State of Montana



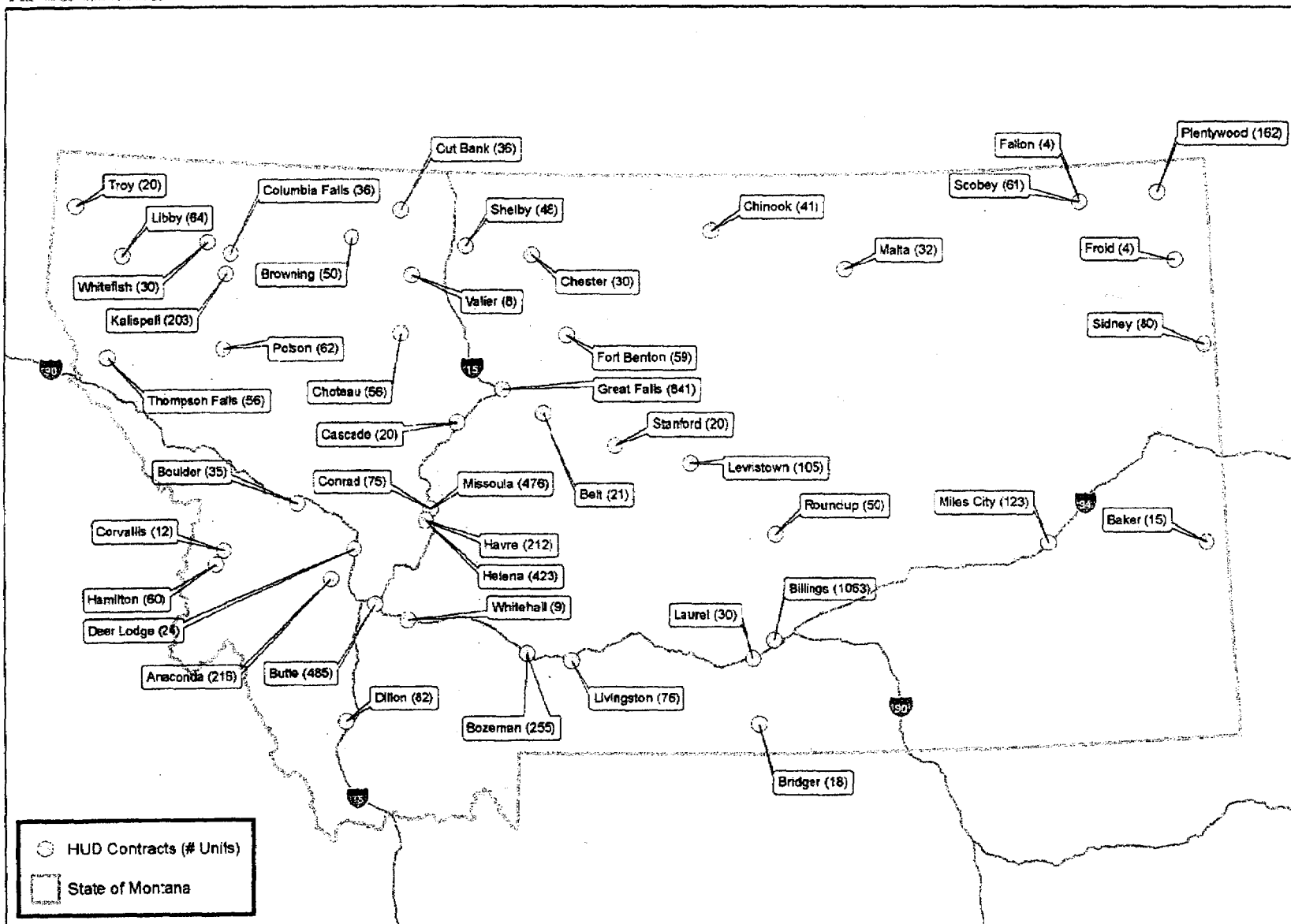
Prepared by Community Lending Analytics, Fannie Mae, 01/05.

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HUD Project Locations State of Montana

Fannie Mae



Prepared by Community Lending Analytics, Fannie Mae, 0105

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Montana House of Representatives
Visitors Register

GENERAL GOVERNMENT COMMITTEE

Date 3-13-09

Bill No. 113645 Sponsor(s) Rep Sessa

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
ANDY POLE	Commerce	X		
Patience Minnehan	PERB/MPERA			X
Bruce Brunsdel				X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Call to Order: Chairman Dan Villa, on March 13, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Rep. Dan Villa, Chairman (D)
Sen. Debby Barrett, Vice Chairman (R)
Rep. Bill E. Glaser (R)
Sen. Bob Hawks (D)
Rep. Roy Hollandsworth (R)
Sen. Jim Peterson (R)
Rep. Cheryl Steenson (D)

Members Excused: None

Members Absent: None

Staff Present: Shirley Chovanak, Committee Secretary
Nancy Hall, OBPP
Pam Joehler, Legislative Branch
Suzan Scott, OBPP
Jim Standaert, Legislative Branch
Kris Wilkinson, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 645

Executive Action: None

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 13, 2009

PAGE 2 of 7

00:00:01 Chairman Villa

00:00:02 Recess

01:07:41 Resume

Discussion of DP 2 Special Education:

01:07:41 Chairman Villa

01:09:01 Rep. Hollandsworth

01:09:21 Kris Wilkinson, LFD

01:09:44 Chairman Villa

01:09:55 Ms. Wilkinson

01:10:11 Chairman Villa

01:10:15 Suzan Scott, OBPP

01:10:35 Chairman Villa

01:10:44 Ms. Wilkinson

01:11:42 Sen. Hawks

01:12:07 Ms. Wilkinson

01:12:26 Rep. Hollandsworth

01:12:36 Chairman Villa

01:13:10 Rep. Glaser

01:14:51 Chairman Villa

01:15:05 Rep. Steenson

01:15:24 Ms. Wilkinson

01:16:02 Chairman Villa

01:16:14 Ms. Wilkinson

01:16:35 Nancy Hall, OBPP

01:16:59 Chairman Villa

01:17:01 Rep. Steenson

01:17:06 Chairman Villa

01:17:07 Rep. Steenson

01:17:25 Jim Standaert, LFD

01:17:49 Sen. Peterson

01:18:00 Chairman Villa

01:18:06 Mr. Standaert

01:18:41 Sen. Peterson

01:18:53 Mr. Standaert

01:19:15 Chairman Villa

01:19:19 Sen. Barrett

01:19:30 Chairman Villa declared that it is the consensus of the committee to recommend to the House Appropriations Committee that **DP 2 WILL BE INCLUDED IN HB 645.**

01:20:21 Rep. Glaser

01:21:24 Mr. Standaert

01:25:38 Rep. Glaser

01:29:34 Mr. Standaert

01:29:40 Rep. Glaser

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 13, 2009

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01:30:24 Mr. Standaert
01:31:23 Rep. Glaser
01:32:06 Chairman Villa
01:32:17 Rep. Glaser
01:33:08 Chairman Villa
01:33:15 Sen. Hawks
01:34:49 Chairman Villa
01:35:06 Sen. Hawks
01:35:48 Chairman Villa
01:37:42 Sen. Hawks
01:37:50 Chairman Villa
01:38:30 Rep. Glaser
01:39:30 Sen. Hawks
01:40:29 Rep. Glaser
01:41:28 Ms. Hall
01:42:06 Mr. Standaert
01:42:59 Sen. Hawks
01:43:21 Chairman Villa

01:43:42 Break
02:02:07 Resume

Discussion of Virtual High School:

02:02:10 Chairman Villa
02:02:18 Rep. Hollandsworth
02:02:57 Chairman Villa

Restoring the At-Risk Component to FY 2008 Funding Level:

02:03:01 Rep. Glaser

02:05:30 Chairman Villa declared that it is the consensus of the committee to recommend to the House Appropriation Committee \$10m biennial appropriation of one-time-only funds to be distributed to school flex funds in FY 2010 for use in either year.

02:05:53 Rep. Glaser
02:06:10 Chairman Villa
02:06:43 Rep. Glaser
02:07:56 Chairman Villa
02:07:58 Sen. Hawks
02:08:08 Rep. Glaser
02:09:30 Mr. Standaert
02:09:46 Sen. Hawks
02:10:06 Chairman Villa
02:10:34 Mr. Standaert
02:10:44 Chairman Villa
02:10:49 Rep. Glaser

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 13, 2009

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02:11:05 Sen. Hawks
02:11:12 Rep. Glaser
02:11:16 Chairman Villa
02:11:19 Rep. Glaser
02:12:14 Chairman Villa

Higher Education Funding:

02:12:33 Rep. Glaser
02:14:57 Sen. Hawks
02:16:01 Rep. Glaser
02:17:13 Chairman Villa
02:17:19 Rep. Glaser
02:17:31 Chairman Villa
02:17:52 Rep. Glaser
02:18:14 Chairman Villa
02:18:42 Rep. Hollandsworth
02:19:54 Chairman Villa
02:19:55 Rep. Hollandsworth
02:20:04 Chairman Villa
02:20:57 Sen. Hawks
02:21:59 Rep. Glaser
02:22:13 Rep. Hollandsworth
02:22:51 Sen. Hawks
02:22:59 Rep. Hollandsworth
02:23:09 Chairman Villa
02:23:18 Rep. Hollandsworth
02:23:20 Chairman Villa
02:23:54 Sen. Hawks
02:24:36 Rep. Hollandsworth

02:24:44 Chairman Villa declared that it is the consensus of the committee to recommend to the House Appropriations Committee a \$600,000 biennial appropriation for the AG Experiment Stations and for the Extension Service. The Extension Service shall use the money for local government service programs.

02:25:12 Rep. Glaser

02:25:24 Chairman Villa declared that it is the consensus of the committee to recommend to the House Appropriations Committee an additional \$1.6m for tuition mitigation for the Community Colleges.

02:25:33 Sen. Hawks
02:25:56 Chairman Villa
02:26:21 Rep. Steenson

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 13, 2009

PAGE 5 of 7

02:27:28 Chairman Villa declared that it is the consensus of the committee to recommend to the House Appropriations Committee that \$8.2m one-time-only funds be placed in the University System. The University System will develop a sustainability plan to mitigate and identify additional costs in the future.

02:27:42 Sen. Hawks
02:28:05 Rep. Steenson
02:28:39 Sen. Hawks
02:28:44 Chairman Villa
02:28:51 Rep. Steenson
02:29:08 Chairman Villa
02:29:10 Pam Joehler, LFD
02:29:26 Sen. Hawks
02:29:31 Ms. Joehler
02:30:04 Chairman Villa
02:30:15 Rep. Glaser
02:30:28 Chairman Villa
02:31:10 Sen. Hawks
02:31:35 Chairman Villa
02:31:41 Rep. Glaser
02:32:17 Chairman Villa
02:32:24 Sen. Hawks
02:32:29 Chairman Villa
02:32:43 Rep. Hollandsworth
02:32:55 Chairman Villa
02:33:00 Rep. Glaser
02:34:15 Sen. Hawks
02:34:30 Chairman Villa
02:34:34 Rep. Glaser
02:34:50 Sen. Hawks
02:35:12 Chairman Villa
02:39:25 Sen. Hawks
02:39:33 Chairman Villa
02:41:03 Ms. Joehler
02:41:15 Rep. Hollandsworth
02:41:33 Sen. Hawks
02:42:23 Rep. Hollandsworth
02:43:41 Rep. Steenson
02:43:51 Chairman Villa
02:44:04 Rep. Glaser
02:45:04 Sen. Hawks
02:45:26 Rep. Glaser

02:45:52 Chairman Villa declared that it is the consensus of the committee to recommend to the House Appropriations Committee that \$9m be set aside for the next two years for scholarships that will be used for students in need.

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

March 13, 2009

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02:46:05 Rep. Hollandsworth
02:46:08 Chairman Villa
02:46:21 Sen. Hawks
02:46:45 Rep. Glaser
02:48:27 Chairman Villa
02:48:28 Rep. Steenson
02:49:19 Sen. Hawks
02:49:28 Chairman Villa

02:49:36 Break
03:13:28 Resume

PBS Funding:

03:13:34 Chairman Villa
03:13:36 Rep. Glaser
03:16:58 Chairman Villa
03:17:34 Rep. Glaser

03:18:40 Chairman Villa declared that it is the consensus of the committee to recommend to the House Appropriations Committee that PBS be funded \$200,000 each year of one-time-only funds in 2010 and 2011.

03:18:53 Rep. Steenson
03:20:57 Chairman Villa
03:21:08 Sen. Peterson
03:23:18 Chairman Villa

ADJOURNMENT

03:23:26 Adjournment

Shirley Chovanak, Secretary

SC

Additional Exhibits

Additional Documents:

EXHIBIT (jeh56aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
Subcommittee on Education

DATE: 5/13/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Sen. Debby Barrett	✓	
Sen. Bob Hawks	✓	
Sen. Jim Peterson	✓	
Rep. Roy Hollandsworth	✓	
Rep. Cheryl Steenson	✓	
Rep. William Glaser	✓	
Rep. Dan Villa	✓	

Legislative Fiscal Division

FINAL SY 2008-09 TITLE I, PART A ALLOCATIONS BY LOCAL EDUCATION AGENCIES (BASED ON 2005 CENSUS DATA AND FFY 2008 APPROPRIATION, PL 110-161) as of 06/17/08

NOTES: 1) Distribution of Title I funds in the Federal Stimulus bill will be based on only two of the four portions of the formula - Targeted and Education Finance Incentive Grants (EFIG).

2) Some districts that receive Title I Basic and Concentration Grants do not receive funds from these two portions of the formula.

CO	LE	LOCAL EDUCATION AGENCY	FY 2009 TARGETED ALLOCATION	FY 2009 EFIG ALLOCATION	FY 2009 TOTAL ALLOCATION	FY 2009 Budgeted ANB	FY 2009 Federal Title 1A per ANB	FY 2009 State at Risk Payment	FY 2009 State At Risk Payment per ANB
		Statewide	10,283,824	10,283,799	20,567,623	149,752	137	5,000,000	33
	Lewis & Clark	0495 WOLF CREEK ELEMENTARY	0	0	0	13	-	3,034	233
	Missoula	0596 SWAN VALLEY ELEMENTARY	0	0	0	46	-	1,537	33
	Sweet Grass	0868 MELVILLE ELEMENTARY	0	0	0	9	-	173	19
	Beaverhead	0003 GRANT ELEMENTARY	0	0	0	14	-	258	18
	Lincoln	0530 MCCORMICK ELEMENTARY	0	0	0	16	-	265	17
	Hill	0426 BOX ELDER HIGH SCHOOL	0	0	0	97	-	1,395	14
	Phillips	0648 DODSON HIGH SCHOOL	0	0	0	24	-	282	12
	Powell	0718 GARRISON ELEMENTARY	0	0	0	14	-	165	12
	Powell	0715 OVANDO ELEMENTARY	0	0	0	19	-	219	12
	Garfield	0385 PINE GROVE ELEMENTARY	0	0	0	9	-	103	11
	Dawson	0215 BLOOMFIELD ELEMENTARY	0	0	0	15	-	165	11
	Madison	0536 ALDER ELEMENTARY	0	0	0	21	-	221	11
	Sanders	0808 PARADISE ELEMENTARY	0	0	0	32	-	312	10
	Carbon	0056 RED LODGE ELEMENTARY	0	0	0	315	-	3,008	10
	Richland	0769 LAMBERT HIGH SCHOOL	0	0	0	34	-	311	9
	Fergus	0269 GRASS RANGE HIGH SCHOOL	0	0	0	35	-	265	8
	Teton	0896 GOLDEN RIDGE ELEMENTARY	0	0	0	42	-	309	7
	Jefferson	0457 JEFFERSON HIGH SCHOOL	0	0	0	261	-	1,900	7
	Teton	0889 BYNUM ELEMENTARY	0	0	0	37	-	221	6
	Lewis & Clark	0503 AUGUSTA HIGH SCHOOL	0	0	0	41	-	221	5
	Dawson	0227 RICHEY ELEMENTARY	0	0	0	49	-	226	5
	Stillwater	0859 RAPELJE HIGH SCHOOL	0	0	0	25	-	103	4
	Fergus	0273 MOORE ELEMENTARY	0	0	0	60	-	242	4
	Stillwater	0858 RAPELJE ELEMENTARY	0	0	0	48	-	192	4
	Carter	0097 CARTER COUNTY HIGH SCHOOL	0	0	0	63	-	233	4
	Fergus	0282 DENTON HIGH SCHOOL	0	0	0	48	-	162	3
	Custer	0187 KINSEY ELEMENTARY	0	0	0	76	-	221	3
	Teton	0894 POWER ELEMENTARY	0	0	0	91	-	263	3
	Teton	0895 POWER HIGH SCHOOL	0	0	0	60	-	148	2
	Beaverhead	0014 JACKSON ELEMENTARY	0	0	0	15	-	.	.
	Beaverhead	0012 POLARIS ELEMENTARY	0	0	0	.	-	.	.
	Beaverhead	0015 REICHLER ELEMENTARY	0	0	0	21	-	.	.
	Beaverhead	0010 WISDOM ELEMENTARY	0	0	0	18	-	.	.

EXHIBIT 1
DATE 3-13-09
HB 645

Additional Sch. 6.75

ok with
175
02/17/08

300
loss
10/15/08
EL

02/15/08
with
115

close
in EL

62

Wilkinson, Kris

From: mikephillips@montana.net
Sent: Tuesday, March 10, 2009 8:29 AM
To: Wilkinson, Kris
Cc: mikephillips@montana.net
Subject: (No subject header)

Kris,

Please disregard my earlier email presenting the specifics of an amendment that I need prepared for HB 645.

After speaking with colleagues about the needs for Bozeman's schools I would like the amendment (that would add to the Department of Commerce's - Director's Office/Management Services Division (81), following line 2, page A-4) to present the following:

- i. \$300,000 for Bozeman High School Boilers
- ii. \$200,000 Bozeman School District Roof and Faca Repair and Replacement
- iii. \$325,000 Bozeman School District Sidewalks Repair and Replacement
- iv. \$200,000 Bozeman High School Vocational Education Area Upgrade
- v. \$300,000 Bozeman School District Asphalt Areas Subgrading and Repaving
- vi. \$300,000 Bozeman School District Ferguson Avenue Paving
- vii. \$295,000 Bozeman Willson School Windows Replacement to Improve Energy Efficiency

Thanks.

Mike

Mike Phillips, State Rep., HD 66, Bozeman, Democratic Caucus Leader 61st Legislature

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION - ECONOMIC STIMULUS RECOMMENDATIONS

			General Fund		Total Funds		Job Creation Stimulus		Technical	
DP#	DP Name		FY 2010	FY 2011	Biennium	FY 2010	FY 2011	Biennium	Shovel Ready	Shovel Ready
		SUBCOMMITTEE RECOMMENDED CHANGES								
			0	0	0	0	0	0		
			0							
		TOTAL SUBCOMMITTEE RECOMMENDATIONS	0	0	0	0	0	0		
		SUBCOMMITTEE NO ACTION								
		Teachers Retirement	21,500,000	21,500,000	43,000,000	21,500,000	21,500,000	43,000,000		
		School Facilities	21,500,000	21,500,000	43,000,000	21,500,000	21,500,000	43,000,000		
	OPI									
		OPI Federal Grant Enhancements				85,662,839		85,662,839		
E-36	DP 2	Special Education-Maintain Fiscal Effort	1,233,764	1,233,764	2,467,528	1,233,764	1,233,764	2,467,528		
	New	Restore At-Risk Component to FY 2008 funding level	4,999,999	4,999,999	9,999,998	4,999,999	4,999,999	9,999,998		
E-36	DP 4	Pupil Transportation	200,000	300,000	500,000	200,000	300,000	500,000		
E-36	DP 11	School Facility Reimbursements*	525,000	525,000	1,050,000	525,000	525,000	1,050,000		
	New	State tuition payments	128,908	128,908	257,816	128,908	128,908	257,816		
	New	In-state treatment	187,895	187,895	375,790	187,895	187,895	375,790		
E-10	EO-4	Gifted and Talented	1,000,000	1,000,000	2,000,000	1,000,000	1,000,000	2,000,000		
	New	Indian Education for All Payment**	1,490,581	1,509,419	3,000,000	1,490,581	1,509,419	3,000,000		
	New	Improving the Quality of Instruction	2,500,000	2,500,000	5,000,000	2,500,000	2,500,000	5,000,000		
E-10	EO-5	Regional Service Areas	1,250,000	1,250,000	2,500,000	1,250,000	1,250,000	2,500,000		
E-24	EO-6	Formative Assessments*	320,000	320,000	640,000	320,000	320,000	640,000		
	New	Response to Education	1,000,000	1,000,000	2,000,000	1,000,000	1,000,000	2,000,000		
	New	Summer Institutes: Content Specific Professional Development	750,000	750,000	1,500,000	750,000	750,000	1,500,000		
	New	Rapid Response through Adult Basic and Literacy Education	250,000	250,000	500,000	250,000	250,000	500,000		
	New	Hot Lunch Program - Dayton School	150,000	0	150,000	150,000	0	150,000		
	New	Bozeman Auditorium	12,000,000		12,000,000	12,000,000	0	12,000,000		
	New	Virtual High School	2,120,000	2,120,000	4,240,000	2,120,000	2,120,000	4,240,000		

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION – ECONOMIC STIMULUS RECOMMENDATIONS

			General Fund			Total Funds			School Ready	Job Creation	Stimulus	Technical
DP#	DP Name		FY 2010	FY 2011	Biennium	FY 2010	FY 2011	Biennium				
	New	Increase Per Educator Component to \$5,000	62,950,000		62,950,000	62,950,000		62,950,000				
	New	Modernization, repairs, renovation per school unit distribution	20,850,000		20,850,000	20,850,000		20,850,000				
	New	Replace lights in Helena school district	850,000		850,000	850,000		850,000				
	New	Replace boiler in Conrad			0			0				
	New	Asbestos removal for Somers school			0			0				
	New	Montana Learning Center	100,000		100,000	100,000		100,000				
	New	Energy efficient buildings in school facilities	30,000,000		30,000,000	30,000,000		30,000,000				
	New	Create structural dollars for efficiency in DEQ	20,000,000		20,000,000	20,000,000		20,000,000				
	New	Bozeman school projects	1,920,000		1,920,000	1,920,000		1,920,000				
	New	Red Lodge school project	2,400,000		2,400,000	2,400,000		2,400,000				
Total OPI Recommendations			169,176,147	18,074,985	187,251,132	254,838,986	18,074,985	272,913,971				
MHS												
	New	Historic Infrastructure Grants	6,500,000		6,500,000	6,500,000		6,500,000				
	New	Montana Agricultural Heritage - Historic barns and buildings	750,000		750,000	750,000		750,000				
	New	Montana County Courthouses	1,500,000		1,500,000	1,500,000		1,500,000				
	New	Montana Local Preservation	1,000,000		1,000,000	1,000,000		1,000,000				
	New	State Historic Preservation Office	250,000		250,000	250,000		250,000				
Total MHS Recommendations			10,000,000	0	10,000,000	10,000,000	0	10,000,000				
OCHE/MUS												
E-3	NP 101	Maintain Support for Higher Education		0	0	44,076,457	45,074,019	89,150,476			X	
E-4	Language	Fund Switch-reduce general fund in HB 2 by same amount as NP 101	(44,076,457)	(45,074,019)	(89,150,476)	0	0	0				Reduce GF in HB 2
E-3	NP 102	Tuition Mitigation for Resident Students	0	0	0	5,000,000	5,000,000	10,000,000			X	
E-2	NP 108	Distance Learning & Integrated Enrollment	0	0	0	1,000,000	1,000,000	2,000,000			X	
E-3	NP 110	Reinstate Dec 15th Community College Funding	0	0	0	506,189	671,586	1,277,775			X	
E-3	NP 111	Reinstate Tribal Assistance Funding	0	0	0	450,000	450,000	900,000			X	
	New	MUS request for additional tuition mitigation funds	8,207,098	0	8,207,098	8,207,098	0	8,207,098			X	
Total OCHE/MUS Recommendations			(35,869,359)	(45,074,019)	(80,943,378)	0	15,263,287	7,121,586	22,384,873	0		
			0	0	0	0	0	0				
TOTAL SUBCOMMITTEE NO ACTION			186,306,788	16,000,966	202,307,754	0	323,102,273	68,196,571	391,298,844			

* Funding request below original request

** Funding request: above both FY 2008 and FY 2009 base by \$155,949

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION – ECONOMIC STIMULUS RECOMMENDAT

General Fund

DP#

DP Name

FY 2010

FY 2011

Biennium

FY 2010

SUBCOMMITTEE RECOMMENDED CHANGES						
			0	0	0	
			0			

			TOTAL SUBCOMMITTEE RECOMMENDATIONS	0	0	0	
--	--	--	------------------------------------	---	---	---	--

SUBCOMMITTEE NO ACTION						
		Teachers Retirement	21,500,000	21,500,000	43,000,000	21,500,000
		School Facilities	21,500,000	21,500,000	43,000,000	21,500,000
	OPI					
		OPI Federal Grant Enhancements				85,662,839
E-36	DP 2	Special Education-Maintain Fiscal Effort	1,233,764	1,233,764	2,467,528	1,233,764
	New	Restore At-Risk Component to FY 2008 funding level	4,999,999	4,999,999	9,999,998	4,999,999
E-36	DP 4	Pupil Transportation	200,000	300,000	500,000	200,000
E-36	DP 11	School Facility Reimbursements*	525,000	525,000	1,050,000	525,000
	New	State tuition payments	128,908	128,908	257,816	128,908
	New	In-state treatment	187,895	187,895	375,790	187,895
E-10	EO-4	Gifted and Talented	1,000,000	1,000,000	2,000,000	1,000,000
	New	Indian Education for All Payment**	1,490,581	1,509,419	3,000,000	1,490,581
	New	Improving the Quality of Instruction	2,500,000	2,500,000	5,000,000	2,500,000
E-10	EO-5	Regional Service Areas	1,250,000	1,250,000	2,500,000	1,250,000
E-24	EO-6	Formative Assessments*	320,000	320,000	640,000	320,000
	New	Response to Education	1,000,000	1,000,000	2,000,000	1,000,000
	New	Summer Institutes: Content Specific Professional Development	750,000	750,000	1,500,000	750,000
	New	Rapid Response through Adult Basic and Literacy Education	250,000	250,000	500,000	250,000
	New	Hot Lunch Program - Dayton School	150,000	0	150,000	150,000
	New	Bozeman Auditorium	12,000,000		12,000,000	12,000,000
	New	Virtual High School	2,120,000	2,120,000	4,240,000	2,120,000

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 13, 2009 at 3:00
P.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Jon C. Sesso, Chairman (D)
Rep. Duane Ankney (R)
Rep. Dennis Getz (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Teresa K. Henry (D)
Rep. Cynthia Hiner (D)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Llew Jones (R)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Dan Villa (D)

Members Excused: Rep. Bill Nooney (R), Rep. Cheryl Steenson (D)

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Samuel Speerschneider, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

HOUSE COMMITTEE ON APPROPRIATIONS

March 13, 2009

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00:58:02 Rep. Morgan
00:58:41 Ms. Sassano
00:59:13 Chairman Sesso

00:59:35 **Vote:** Motion carried unanimously by voice vote with
Rep. Steenson voting by proxy.

00:59:50 **Motion/Vote:** Rep. Glaser moved that **HB 4 DO PASS AS
AMENDED.** Motion carried unanimously by voice vote. Rep.
Steenson voted by proxy.

Discussion of HB 645

01:04:07 Chairman Sesso

EXHIBIT(aph56a04)

01:06:12 Rep. McChesney
01:07:08 Chairman Sesso
01:07:16 Rep. McChesney
01:08:43 Chairman Sesso
01:09:29 Rep. Henry
01:16:51 Rep. Morgan
01:17:13 Rep. Jones
01:17:44 Chairman Sesso
01:19:38 Rep. Hollenbaugh
01:21:09 Rep. Hawk
01:23:08 Chairman Sesso
01:23:37 Pat Gervais, Legislative Fiscal Division
01:24:25 Chairman Sesso
01:24:34 Ms. Gervais
01:25:52 Rep. Morgan
01:26:57 Rep. Hawk
01:28:34 Rep. Morgan
01:29:08 Chairman Sesso
01:30:08 Ms. Sassano
01:31:10 Chairman Sesso
01:32:06 Ms. Sassano
01:32:26 Chairman Sesso
01:36:22 Rep. Villa
01:41:37 Chairman Sesso
01:43:12 Rep. Villa
01:43:22 Rep. Glaser
01:44:09 Chairman Sesso
01:44:29 Ms. Smith
01:45:15 Chairman Sesso
01:46:12 Rep. Kasten
01:47:47 Rep. Hollandsworth
01:48:06 Rep. Kasten
01:48:47 Ms. Sassano

HOUSE COMMITTEE ON APPROPRIATIONS
March 13, 2009
PAGE 6 of 7

01:49:56 Rep. Kasten
01:50:11 Chairman Sesso
01:52:40 Rep. Hawk
01:52:58 Chairman Sesso
01:57:08 Rep. Hollenbaugh
01:57:26 Chairman Sesso
01:58:17 Rep. Hollenbaugh
01:58:32 Chairman Sesso
01:59:08 Rep. Glaser
02:00:05 Chairman Sesso

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES & TRANSPORTATION – ECONOMIC STIMULUS RECOMMENDATIONS

Page	DP#	DP Name	FY 2010	General Fund FY 2011	Biennium	FY 2010	Total Funds FY 2011	Biennium	Shovel	Jobs	Stimulus	Comment/Technical Changes
		EXECUTIVE REQUEST RECOMMENDATIONS - Total	6,057,275	998,291	7,055,566	181,300,550	103,114,333	284,414,883				
		SUBCOMMITTEE RECOMMENDED CHANGES										
		Adopt Executive Request	6,057,275	998,291	7,055,566	181,300,550	103,114,333	284,414,883				
			0	0	0	0	0	0				
			0	0	0	0	0	0				
			0	0	0	0	0	0				
			0									
		TOTAL SUBCOMMITTEE RECOMMENDATIONS	6,057,275	998,291	7,055,566	181,300,550	103,114,333	284,414,883				
		COMPARISON TO EXECUTIVE BUDGET	0	0	0	0	0	0				
		SUBCOMMITTEE NO ACTION										
			0	0	0	0	0	0				
			0	0	0	0	0	0				
			0	0	0	0	0	0				
			0	0	0	0	0	0				
			0	0	0	0	0	0				
		TOTAL SUBCOMMITTEE NO ACTION	0	0	0	0	0	0				

EXHIBIT 4
DATE 3/13/09
HB 645

JOINT APPROPRIATIONS SUBCOMMITTEE - JUDICIAL BRANCH, LAW ENFORCEMENT AND CORRECTIONS (D)

Page No.	DP#	DP Name	FY 2010	General Fund FY 2011	Biennium	FY 2010	Total Funds FY 2011	Biennium	Stimulus Shown Ready	Job Creation Shown Ready	Technical
		EXECUTIVE BUDGET RECOMMENDATIONS	3,675,849	27,709	3,707,558	8,730,493	27,709	8,758,002			
		SUBCOMMITTEE RECOMMENDED CHANGES									
		Exempt 24/7 institutional staff from vacancy savings	1,775,801	1,782,735	3,558,536	1,775,801	1,782,735	3,558,536	x	x	39 jobs
		Offset funding for vacancy savings by reduction in overtime costs	(550,000)	(550,000)	(1,100,000)	(550,000)	(550,000)	(1,100,000)	x	x	
		Fund Self-help (Court-help) law program	247,500	247,500	495,000	247,500	247,500	495,000	x	x	4 jobs
		Reduce vacancy savings for probation and parole officers	377,000	377,000	754,000	377,000	377,000	754,000	x	x	7% = 21 jobs, reduction to about 4% adds back 9 jobs
		Department of Justice - Crime Victims Compensation Grant	0	0	0	90,582	90,582	181,164	x	x	compensates victims for some out of pocket costs
			0								
		TOTAL SUBCOMMITTEE RECOMMENDATIONS	1,850,301	1,857,235	3,707,536	1,940,883	1,947,817	3,888,790			
		COMPARISON TO EXECUTIVE BUDGET	5,530,150	1,884,944	7,415,094	10,671,376	1,975,526	12,646,702			
		SUBCOMMITTEE NO ACTION									
		Corrections - Exempt 24/7 and/or direct service provision staff from vacancy savings	0	0	0	0	0	0	x	x	
		Self or Court Help Program	247,500	247,500	495,000	247,500	247,500	495,000	x	x	
		Department of Justice - Victims Compensation Grant	0	0	0	90,582	90,582	181,164			
		Contract provision regarding pay increments	0	0	0	0	0	0			
		Juvenile detention grant funding	0	0	0	0	0	0			
			0	0	0	0	0	0			
			0	0	0	0	0	0			
		TOTAL SUBCOMMITTEE NO ACTION	247,500	247,500	495,000	338,082	338,082	676,164			

Stimulus = Ongoing benefits to the economy

			2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023			
		TEACHER RETIREMENT MAINTAIN FISCAL EFFORT OTO	28,461,737	8,053,764	36,515,501	28,461,737	8,053,764	36,515,501			
		Virtual High School OTO	2,120,000	2,120,000	4,240,000	2,120,000	2,120,000	4,240,000			
		Flex Fund (Biennial/OTO) At Risk Component	10,000,000	0	10,000,000	10,000,000	0	10,000,000			
		AES/ES add'l funding OTO	600,000	0	600,000	600,000	0	600,000			
		Add \$1.6M OTO to CC for tuition mitigation	1,600,875	0	1,600,875	1,600,875	0	1,600,875			
		Add \$8.2M OTO to MUS for tuition mitigation	8,207,098	0	8,207,098	8,207,098	0	8,207,098		X	
		Scholarship Funds for Postsecondary Students (need-based financial assistance) OTO	4,500,000	4,500,000	9,000,000	4,500,000	4,500,000	9,000,000			
		PBS Satellite Delivery OTO	200,000	200,000	400,000	200,000	200,000	400,000			
			0								
		SUBCOMMITTEE RECOMMENDED CHANGES TO HB645									
		Teacher Retirement System	(28,461,737)	(8,053,764)	(36,515,501)	(28,461,737)	(8,053,764)	(36,515,501)			
E-36	DP 2	Special Education-Maintain Fiscal Effort OTO	1,233,764	1,233,764	2,467,528	1,233,764	1,233,764	2,467,528			Fed match funds are in HB 2
	New	Virtual High School OTO	2,120,000	2,120,000	4,240,000	2,120,000	2,120,000	4,240,000			Remove approp from HB 459
	New	Flex Fund (Biennial/OTO) At Risk Component	10,000,000	0	10,000,000	10,000,000	0	10,000,000			
	New	AES/ES add'l funding OTO	600,000	0	600,000	600,000	0	600,000			
	New	Add \$1.6M OTO to CC for tuition mitigation	1,600,875	0	1,600,875	1,600,875	0	1,600,875			
	New	Add \$8.2M OTO to MUS for tuition mitigation	8,207,098	0	8,207,098	8,207,098	0	8,207,098		X	
	New	Scholarship Funds for Postsecondary Students (need-based financial assistance) OTO	4,500,000	4,500,000	9,000,000	4,500,000	4,500,000	9,000,000			
	New	PBS Satellite Delivery OTO	200,000	200,000	400,000	200,000	200,000	400,000			
			0								
		TOTAL SUBCOMMITTEE RECOMMENDATIONS	0	0	0	0	0	0			
		COMPARISON TO EXECUTIVE BUDGET	1,076,457	2,007,019	3,150,476	(179,795,485)	(95,195,605)	(274,591,000)			

[illegible]

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: Chairman Dave Kasten, on March 18, 2009 at 8:06
A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Dave Kasten, Chairman (R)
Sen. Gregory D. Barkus, Vice Chairman (R)
Sen. John Brueggeman (R)
Sen. Mike Cooney (D)
Rep. Dennis Getz (D)
Rep. Walter McNutt (R)
Rep. Jon C. Sesso (D)

Members Excused: None

Members Absent: Sen. Carol Williams (D)

Staff Present: Catherine Duncan, Legislative Branch
Tyrrell Hibbard, Committee Secretary
Christine Hultin-Brus, OBPP

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 10, HB 6, HB 7, HB 11, HB 5,
HB 467

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING
March 18, 2009
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02:48:39 **Motion/Vote:** Sen. Brueggeman moved that **HB 467 DO PASS AS AMENDED.** Motion carried 7-1 by roll call vote with Sen. Barkus voting no.

02:49:05 Chairman Kasten

DISCUSSION ON HB 645

02:50:01 Rep. Sesso
02:57:28 Chairman Kasten
02:59:19 Rep. Sesso
03:02:57 Chairman Kasten
03:02:58 Ms. Duncan

EXHIBIT(jlh60a07)

03:03:45 Sen. Williams left hearing.
03:06:22 Chairman Kasten
03:08:11 Ms. Duncan
03:08:38 Rep. Sesso
03:09:01 Sen. Williams returned.
03:11:40 Chairman Kasten
03:11:44 Sen. Barkus
03:12:51 Rep. Sesso
03:12:54 Sen. Barkus
03:13:15 Chairman Kasten
03:13:20 Rep. Getz
03:13:43 Sen. Brueggeman
03:15:52 Chairman Kasten

ADJOURNMENT

03:16:13 Adjournment: 6:09 P.M.

Tyrrell Hibbard, Secretary

th

Additional Exhibits

Additional Documents:

EXHIBIT(jlh60aad.pdf)

HOUSE OF REPRESENTATIVES
Roll Call
LONG RANGE PLANNING SUBCOMMITTEE

DATE: 3/18/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. DAVE KASTEN	✓	
SEN. GREG BARKUS	✓	
SEN. JOHN BRUEGGEMAN	✓	
SEN. MIKE COONEY	✓	
REP. DENNIS GETZ	✓	
REP. WALTER MCNUTT	✓	
REP. JOHN SESSO	✓	
SEN. CAROL WILLIAMS		✓

EXHIBIT
DATE 3/18/09
NO 645

Legislative Fiscal Division

HB 645 Requested Amendments

Amend#	Requester	Recipient	Project	Amount						Total
				General Fund		Federal Energy		Federal Stabilization		
				FY 2010	FY 2011	FY 2010	FY 2011	FY 2010	FY 2011	
64511		Technical Amendment to Correct for change in SBCEP Federal Funding						(\$575,000)	(\$575,000)	(\$1,150,000)
Appropriated through Commerce, funds granted?										
64501	Kasten	Town of Brockton	Wastewater Pond Project					\$875,000	\$875,000	\$1,750,000
64502	Kasten	Browning High School	Complete New High School					1,500,000	1,500,000	3,000,000
64503	Kasten	Fort Kipp Irrigation Dist.	Irrigation Project					312,500	312,500	625,000
64504	Hiner	Rocky Boy Tribe	Parker System Storage Project					634,500	634,500	1,269,000
64505	McChesney	Miles Community College	Renovation, Modernization, and Energy Projects					1,128,806	1,128,806	2,257,612
64506	Rep. Stoker	Daly Irrigation District	Hedge Canal Diversion Dam Replacement					500,000	500,000	1,000,000
		Bitter Root Irrigation District	Bitter Root Irrigation Syphon					3,000,000	3,000,000	6,000,000
64507	MacLaren	Historic St. Mary's Mission, Inc.	Mission and Grounds Maintenance and Restoration					20,000	20,000	40,000
		HB 250	still working on this					4,000,000	4,000,000	8,000,000
n/d	Kasten	Various Local Governments	Various Projects					240,000	240,000	480,000
n/d	Kasten	McCone County VFD	Addition on county Fire Hall					85,600	85,600	171,200
n/d	Ankney	Shepherd Community Center	Build New Shepherd Community Center, Senior Center					195,000	195,000	390,000
n/d	Roundstone	Northern Cheyenne Tribe	Capitol Building Improvements Project					162,500	162,500	325,000
n/d	(\$68m)		Solid Waste Transfer Facility					250,000	250,000	500,000
			Northern Cheyenne Dialysis Center					750,000	750,000	1,500,000
			Lame Deer and Muddy Cluster Water System Improv Proj					375,000	375,000	750,000
			Bison Pasture Fencing Project					196,600	196,600	393,200
			Wind Energy Project			\$32,000,000	\$32,000,000			64,000,000
			Boy's and Girl's Club Improvement Project					275,000	275,000	550,000
n/d	Roundstone	Chief Dull Knife College	Two-story Classroom Office Complex					3,000,000	3,000,000	6,000,000
	(\$15.84m)		Two-story Library					1,920,000	1,920,000	3,840,000
			Multi-purpose Student Center	0	0	0	0	3,000,000	3,000,000	6,000,000
			Subtotal Grants	\$0	\$0	\$32,000,000	\$32,000,000	\$22,420,506	\$22,420,506	\$108,841,012
Appropriated to DOA, A&E										
64508	Mehlhoff	GF COT	Simulated Hospital and Child Care Center					\$1,475,000	\$1,475,000	\$2,950,000
64509	Mehlhoff	GF COT & Helena COT	Sim Hosp & CCCenter and UM Helena COT Completion	0	0	0	0	830,000	830,000	1,660,000
			Subtotal DOA	\$0	\$0	\$0	\$0	\$2,305,000	\$2,305,000	\$4,610,000
Appropriated to DNRC, CARDD										
n/d	Holenbaugh	DNRC	Rocky Boy North Central Water Treatment Plant	\$0	\$0	\$0	\$0	\$2,000,000	\$2,000,000	\$4,000,000
			Subtotal DNRC	\$0	\$0	\$0	\$0	\$2,000,000	\$2,000,000	\$4,000,000
			Grand Total	\$0	\$0	\$32,000,000	\$32,000,000	\$26,725,506	\$26,725,506	\$117,451,012

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 19, 2009 at 8:30
A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Jon C. Sesso, Chairman (D)
Rep. Duane Ankney (R)
Rep. Dennis Getz (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Teresa K. Henry (D)
Rep. Cynthia Hiner (D)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Bill Nooney (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Cheryl Steenson (D)
Rep. Dan Villa (D)

Members Excused: Rep. Llew Jones (R)

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Samuel Speerschneider, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

HEARING ON HB 629

Opening Statement by Sponsor:

01:20:19 Rep. Bill Glaser (R), HD 44, opened the hearing on
HB 629, Revise distribution of certain school revenue.

Proponents' Testimony:

01:27:06 Lance Melton, Montana School Board Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:29:17 Rep. Getz
01:29:53 Rep. Glaser

Closing by Sponsor:

01:31:31 Rep. Glaser
01:32:42 Recess

Announcements:

02:50:43 Chairman Sesso

HB 645 Presentation by the Executive:

02:52:36 Amy Carlson, Office of Budget and Program Planning

Discussion:

02:57:19 Rep. Sesso

Subcommittee Report on Fire Bills:

02:59:56 Rep. Steenson

Discussion:

03:10:28 Chairman Sesso
03:11:16 Rep. Steenson
03:11:34 Rep. Hollenbaugh

HOUSE COMMITTEE ON APPROPRIATIONS

March 19, 2009

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03:12:13 Barbara Smith, Legislative Fiscal Division
03:15:23 Rep. Kasten
03:16:20 Rep. Hawk
03:16:52 Rep. Steenson
03:17:50 Rep. Hawk
03:18:00 Chairman Sesso
03:18:29 Ms. Smith
03:19:01 Chairman Sesso

EXECUTIVE ACTION ON HB 251

03:19:26 **Motion/Vote:** Rep. Steenson moved that **HB 251 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 43

03:20:01 **Motion/Vote:** Rep. Steenson moved that **HB 43 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 42

03:20:19 **Motion:** Rep. Steenson moved that **HB 42 DO PASS**.

Discussion:

03:21:00 Rep. Morgan
03:21:05 Chairman Sesso
03:21:13 Rep. Hollenbaugh
03:22:13 Rep. Steenson
03:22:41 Chairman Sesso
03:23:57 Ms. Smith
03:24:27 Chairman Sesso
03:25:03 Rep. Hollenbaugh
03:25:26 Rep. Vincent
03:26:47 Chairman Sesso

03:26:58 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 154

03:27:13 **Motion:** Rep. Steenson moved that **HB 154 DO PASS**.

03:27:28 **Motion:** Rep. Steenson moved that **HB 154 BE CONCEPTUALLY AMENDED**.

03:27:59 **Motion:** Chairman Sesso moved that **HB 154 BE CONCEPTUALLY AMENDED**.

EXHIBIT(aph61a03)

HOUSE OF REPRESENTATIVES
Roll Call
APPROPRIATIONS COMMITTEE

DATE: 3/19/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Hiner	X	
Rep. McNutt	X	
Rep. Villa	X	
Rep. Roberts	X	
Rep. Nooney	X	
Rep. Steenson	X	
Rep. Henry	X	
Rep. McChesney	X	
Rep. Getz	X	
Rep. Hawk	X	
Rep. Kasten	X	
Rep. Morgan	X	
Rep. Hollandsworth	X	
Rep. Ankney	X	
Rep. Pease-Lopez	X	
Rep. Hollenbaugh	X	
Rep. Mehlhoff	X	
Rep. Jones		X EXCUSED
Rep. Glaser	X	
Chairman Sesso	X	

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 23, 2009 at 8:30
A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Jon C. Sesso, Chairman (D)
Rep. Duane Ankney (R)
Rep. Dennis Getz (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Teresa K. Henry (D)
Rep. Cynthia Hiner (D)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Llew Jones (R)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Bill Nooney (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Cheryl Steenson (D)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Samuel Speerschneider, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

HOUSE COMMITTEE ON APPROPRIATIONS

March 23, 2009

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Committee Business Summary:

Hearing & Date Posted: HB 645 Discussion, 3/20/2009

Executive Action: HB 5; HB 213; HB 408; HB 152;
HB 81; HB 258; HB 459; HB 173;
HB 309; HB 411; HB 334; HB 333;
HB 212; HB 134

Discussion of HB 645:

00:00:06 Chairman Sesso
00:15:58 Rep. Morgan
00:21:25 Chairman Sesso
00:21:36 Rep. Morgan
00:22:13 Rep. Hollandsworth
00:24:40 Rep. Ankney

EXHIBIT(aph64a01)

00:27:44 Rep. Pease-Lopez
00:28:51 Rep. Mehlhoff
00:30:19 Rep. Jones
00:31:24 Chairman Sesso
00:33:11 Rep. Jones
00:35:29 Chairman Sesso
00:36:59 Rep. Hollenbaugh
00:39:27 Rep. Glaser
00:44:35 Rep. Hiner
00:45:26 Rep. McNutt
00:50:22 Rep. Roberts
00:51:24 Rep. Nooney
00:52:51 Rep. Steenson
00:54:16 Rep. Henry
00:57:16 Rep. McChesney
01:00:43 Rep. Getz
01:01:23 Rep. Hawk
01:03:08 Rep. Kasten

01:03:54 Recess
01:28:01 Reconvene

01:28:10 Chairman Sesso
01:28:23 Rep. Jones
01:28:55 Chairman Sesso

EXECUTIVE ACTION ON HB 5

01:29:01 **Motion/Vote:** Rep. Jones moved to **RECONSIDER THE MOTION**
on **HB 5**. Motion carried unanimously by voice vote.

HOUSE OF REPRESENTATIVES
Roll Call
APPROPRIATIONS COMMITTEE

DATE: 3/23/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Hiner	X	
Rep. McNutt	X	
Rep. Villa	X	
Rep. Roberts	X	
Rep. Nooney	X	
Rep. Steenson	X	
Rep. Henry	X	
Rep. McChesney	X	
Rep. Getz	X	
Rep. Hawk	X	X EXCUSED
Rep. Kasten	X	
Rep. Morgan	X	
Rep. Hollandsworth	X	
Rep. Ankney	X	
Rep. Pease-Lopez	X	
Rep. Hollenbaugh	X	
Rep. Mehlhoff	X	
Rep. Jones	X	
Rep. Glaser	X	
Chairman Sesso	X	

Tabled until June 2009 (March meeting action)

Appl	Entity	Project	Request	Total
#0581	Apsaalooke Water & Wastewater Authority	Purchase Backhoe	\$65,000	\$65,000
#0599	Musselshell County	Short-term Staffing	\$259,080	\$259,080
#0600	Musselshell County	Road & Sheriff's Dept	\$579,500	\$579,500
#0601	Musselshell County	Ambulance	\$130,000	\$130,000
#0602	Roundup Public Schools	Capital Improvements Planning Update	\$17,274	\$17,274
#0603	Musselshell County	Fattig Creek & Majerus Rd Construction	\$585,044	\$585,044
#0604	Roundup, City of	Stormwater Main Trunk-	\$390,000	\$261,785
#0606	Big Horn County	Purchase mini van for Heritage Acres - extended care facility	\$20,000	\$20,000
#0607	Big Horn County	Motor Grader	\$200,000	\$200,000
#0608	Golden Valley County	Fire Station Garage	\$237,000	\$237,000

\$1,570,898

Tabled until June 2009 (Previously tabled)

Appl	Entity	Project	Request	Status
#0587	Wyola School District	Window Replacement & Renovations	\$97,500	Tabled
#0594	Lavina School District	Community Library I-TV	\$17,150	Tabled
#0596	Carbon County	Girls & Boys Club	\$45,000	Tabled
#0598	Hardin, City of	New Fire Station	\$250,000	Moved to Full will apply at June mtg
			\$409,650	Total

\$2,354,683 Tabled at March 2009 meeting

\$409,650 Tabled until June 2009

\$2,764,333 Total in Pending applications

Musselshell County	\$1,553,624
City of Roundup	\$390,000
Roundup Schools	\$17,274

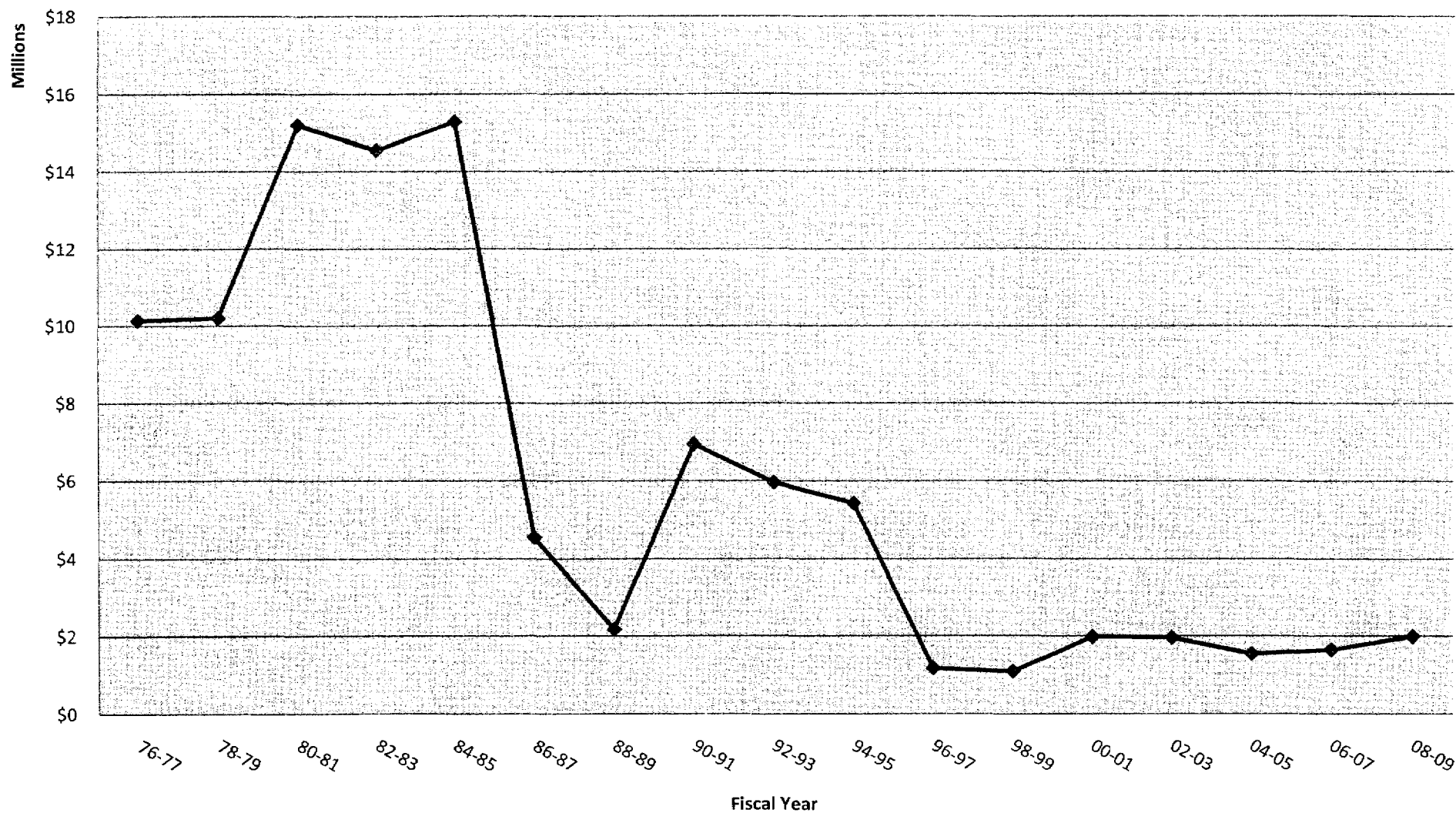
TOTAL

\$1,960,898 71% of the requested funds are from Musselshell County, Roundup & Roundup Schools

Note: At the December 2008 meeting, Lavina and Carbon County volunteered to be tabled so that a request from Musselshell could be partially funded at that meeting. Musselshell received \$33,500 which allowed them to purchase a belly dump. The belly dump has been purchased & grant is closed out.

EXHIBIT 2
DATE 3/23/09
HB 645

Montana Coal Board Appropriations for Fiscal Years 1976-2009

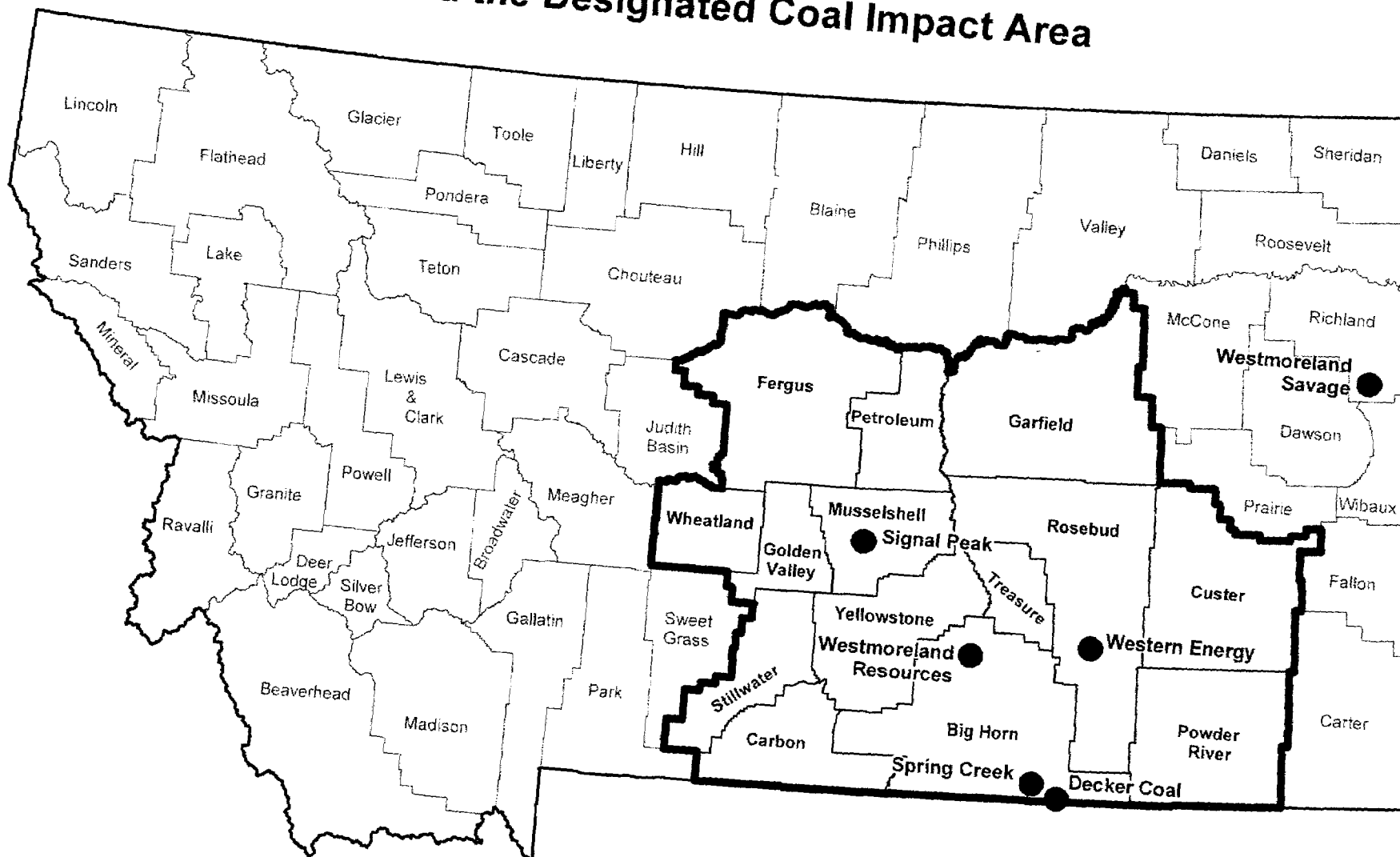


645

Coal Board Funding from 1976 - 2009

Years	Appropriation
76 - 77	\$10,139,127
78 - 79	\$10,197,720
80 - 81	\$15,191,476
82 - 83	\$14,545,285
84 - 85	\$15,275,075
86 - 87	\$4,547,346
88 - 89	\$2,177,004
90 - 91	\$6,954,035
92 - 93	\$5,958,098
94 - 95	\$5,426,675
96 - 97	\$1,187,005
98 - 99	\$1,096,353
00 - 01	\$1,990,308
02 - 03	\$1,967,784
04 - 05	\$1,558,196
06 - 07	\$1,655,916
08 - 09	\$2,000,000

Major Coal Mines and the Designated Coal Impact Area



THE MONTANA COAL BOARD

- The Coal Board was created in 1975 with the adoption of the Coal Severance Tax.
- The seven-member board is appointed by the Governor and meets quarterly.
- Its purpose is to provide grants to help communities meet public facility or public service needs that are related to the development or decline of coal mines or coal-fired power generating plants.
- Eligible applicants include cities and towns, counties, consolidated governments, tribal governments, school districts, state agencies, and county or multi-county water, sewer, or solid waste districts or other governmental units.
- The Coal Board is funded from the Oil, Gas, and Coal Natural Resource Account established by the 2005 Legislature through HB 758. The account provides 2.9% of coal severance tax proceeds for coal impact grants and support of the Coal Board. This would provide approximately \$3 million

Grants Awarded in 2008 and 2009

During fiscal years 2008 and 2009:

- A total of 44 grant applications were submitted to the Coal Board. The projects included school safety improvements; hospital renovations and equipment; city halls; fire stations; police and sheriff equipment including cars, radios and fingerprinting systems; road equipment including rock crushers and belly dump trucks; fire trucks; emergency operations radios and transmitters, as well as preparation of community growth policies and preliminary engineering and architectural studies.
- Seven of the FY 2009 applications, amounting to \$2,111,398, have moved to full application status to be evaluated at the March, 2009 meeting although no funds are available. The Governor's budget proposes \$3 million for the Coal Board for the 2010-2011 Biennium. Pending applications are:

Applicant	Project	Amount Requested	Total Project Cost
City of Hardin	Fire Station	\$250,000	\$900,000
Musselshell County	Short-term Staffing – 2 road department personnel and 1 law enforcement personnel for a 2-year period	\$259,080	259,080
Musselshell County	Road and Sheriff Department Equipment -2 patrol cars, a patrol motor grader, 1 pick-up	\$480,000	\$900,000
Musselshell County	Ambulance	\$130,000	\$130,000
Musselshell County	Fattig Creek and Majerus Road Construction	\$585,044	\$1,729,755
City of Roundup	Stormwater Main Trunk-line	\$390,000	\$490,000
Roundup Schools	Capital Improvements Plan	\$17,274	\$22,274

- The Coal Board awarded a total of 32 grants, totaling \$2,000,000.
- The 32 grants ranged from a high of \$200,000 to a low of \$7,500.
- The average grant amount was \$62,500, up from \$47,500 in 2006 and 2007.
- The 32 projects involve over \$13.9 million in other state, federal and local funds.

Existing and Proposed Development In Montana's "Coal Country"

(See map on the following page.)

Current and proposed Montana coal-related projects include:

- During 2005, the MDU Resources' **Rocky Mountain Power** 116-megawatt coal-fired generating plant at Hardin went on line.
- A coal-fired electric and wood co-generation plant, **Thompson River Co-Gen**, in Thompson Falls is currently off-line pending settlement of an air quality permit issue
- **Great Northern Power Development** of Denver and Kiewit Mining Group of Omaha have proposed a \$1 billion 500-megawatt coal-fired generating plant near Nelson Creek west of Circle, along with an adjacent coal mine, and related infrastructure.
- **Bull Mountain Power** has proposed two 350-megawatt coal-fired generators using 2.7 million tons of coal per year from the Bull Mountain Mine at Roundup.
- **The Southern Montana Electric Generation and Transmission Cooperative** is seeking permits to build a \$515 million 250-megawatt coal-fired generating plant at Great Falls.
- **Kennecott, Bechtel, and Wesco** have proposed building a coal plant to generate 3,000 megawatts at Otter Creek.

Montana has six existing coal mines (with total production from Dec. – Nov., 2005):

- **Bull Mountain Mine near Roundup** (208,755 tons)
- **Decker Coal Company at Decker** (8,241,274 tons),
- **Spring Creek Mine in Big Horn County** (12,001,290 tons)
- **Western Energy Company's Rosebud Mine at Colstrip** (12,413,482 tons)
- **Westmoreland Resources' Absaloka Mine at Hardin** (6,588,633 tons)
- **Westmoreland Resources' Mine at Savage** (380,042 tons).

Criteria

Under State law (Section 90-6-206, MCA) and the Administrative Rules of Montana (Section 8.10.301, ARM), grants must be awarded on the basis of:

Need – what assistance is required to eliminate or reduce a problem that threatens the public's health, safety, or welfare that is the result of coal development or decline?

Severity of impact from coal development or decline – what has been the relative amount of demographic or economic change that is a result of the coal development or decline?

Availability of funds – the weighing of the amount of available Coal Board funds in comparison to the total requests submitted?

Degree of local effort – what other funding sources can the applicant pledge to the project based on the applicant's indebtedness and current taxing efforts, and has the applicant sought out all other reasonable sources of funding to assist with the project?

Planning – does the proposal fit into an overall plan for the orderly management of the existing or contemplated growth problems?

Questions for Grant Applicants

- How is the need for a grant related to impact from coal development or decline?
- Is the need documented to be a high priority project for the community?
- Can you demonstrate community input and support for the project?
- Can you demonstrate how the project will directly meet the stated needs?
- Have other possible sources of funding been seriously explored?
- Is the community's financial commitment demonstrated and secured?
- Is the budget and financial plan for the project realistic, appropriate, and feasible?
- Is a reasonable timeframe established for the completion of the project?
- Questions and requests should be directed to:

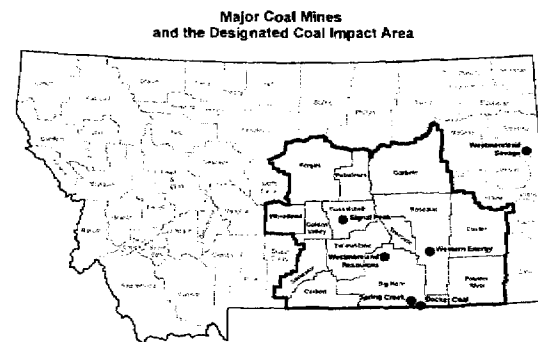
Administrative Staff Montana Coal Board

Department of Commerce
Ellen Hanpa, Administrative Officer
(406) 841-2789
Linda Stangland, Program Assistant
(406) 841-2782
301 S Park Avenue
Helena, Montana 59620

Montana Department of Commerce The Montana Coal Board



Assisting Communities Impacted by Coal Development



Funding Authorized

Coal Board Grant Dollars Appropriated by the Montana Legislature for:

Fiscal Years 2008-2009...\$ 2,000,000

Coal Board grants are funded by Montana's Coal Severance Tax.

Purpose

The Coal Board's purpose is to assist local governmental entities that must provide expanded public services and facilities needed as a consequence of coal development, consumption, or decline. (See Section 90-6-201, MCA.)

Eligibility

Where a coal impact exists, Coal Board grants may be awarded to any:

- ◆ City
- ◆ Town (incorporated)
- ◆ County
- ◆ School District
- ◆ Special District
- ◆ Federally recognized Indian tribe – 7% limit (See Section 90-6-209)
- ◆ State agency (See Sections 90-6-206, 207, 208, MCA)

Fifty percent of the funding appropriated for coal impact grants is reserved for governmental units within the designated coal impact area.

Montana Coal Board

Returning coal severance taxes to coal impacted areas.

The seven-member Coal Board meets quarterly to consider applications for coal impact grants. All Board meetings are open to the public. *Public comment on any public matter that is within the Board's jurisdiction will be allowed at all Board meetings. The opportunity for public comment is reflected on the meeting agenda. All comments are included in the official minutes of the meeting.*

Montana Coal Board Members

John Williams, Chair – Colstrip
Marcia Brown - Butte
Dan Dutton, Vice-Chair – Belfry
Chad Fenner – Hardin
Julie Foley - Missoula
Thomas Kalakay – Billings
Gerald Navratil – Sidney

Coal Board meetings are held at facilities that are fully accessible to persons with disabilities. Any person needing reasonable accommodations must notify the Coal Board at 406-841-2782 or TDD at 406-841-2702 before the scheduled meeting to allow for arrangements.

Alternative accessible formats of this document will be provided upon request. For further information, please contact the above telephone numbers.

Application Process

1. Applicants can download the Coal Impact application form from the Board's website or request information from the Coal Board staff.

2. Applications are due the first of the month before the scheduled month of the meeting. Applicants can contact staff for assistance with application procedures.

3. Staff, Board members, and other appropriate agencies review the application.

4. The applicant appears at a scheduled meeting and formally presents the proposal to the Board.

5. The Board considers the proposal and votes to either:

- **Approve** the Application
- **Table** the Application and request more information, as needed; or
- **Deny** the Application.

If approved, contract stipulations are established and staff prepares a grant contract.

For copies of application form and other information please visit our website:

http://comdev.mt.gov/CDD_CB.asp

Updated January 2009

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 24, 2009 at 3:30 P.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Jon C. Sesso, Chairman (D)
Rep. Duane Ankney (R)
Rep. Dennis Getz (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Teresa K. Henry (D)
Rep. Cynthia Hiner (D)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Llew Jones (R)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Cheryl Steenson (D)
Rep. Dan Villa (D)

Members Excused: Rep. Bill Nooney (R)

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Samuel Speerschneider, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 645

00:00:11 Chairman Sesso

EXECUTIVE ACTION ON HB 645

00:03:38 **Motion:** Rep. Hiner moved that **HB 645 DO PASS.**

00:04:25 **Motion:** Rep. Hiner moved that **HB 645 BE AMENDED.**
EXHIBIT(1)

Discussion:

00:05:30 Chairman Sesso

00:11:23 Rep. Hollenbaugh

00:12:10 **Vote:** Motion carried unanimously by voice vote with
Rep. Nooney voting by proxy.

00:12:51 Rep. Kasten

00:13:16 **Motion:** Rep. Hiner moved that **HB 2 BE AMENDED.**
EXHIBIT(2)

Discussion:

00:15:29 Rep. Hawk

00:16:00 Chairman Sesso

00:16:04 Rep. Morgan

00:16:20 Rep. Hiner

00:16:32 Rep. Morgan

00:16:41 Chairman Sesso

00:16:56 Rep. Morgan

00:17:09 Rep. Ankney

00:17:25 Chairman Sesso

00:25:43 Rep. Roberts

00:26:17 Chairman Sesso

00:30:10 **Vote:** Motion carried unanimously by voice vote with
Rep. Nooney voting by proxy.

HOUSE COMMITTEE ON APPROPRIATIONS

March 24, 2009

PAGE 3 of 4

00:30:31 Motion/Vote: Rep. Hiner moved that **HB 645 DO PASS AS AMENDED**. Motion carried 18-2 by voice vote with Rep. Hawk and Rep. Kasten voting no. Rep. Nooney voted by proxy.

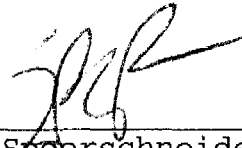
00:31:37 Chairman Sesso

00:31:55 Rep. Glaser

00:32:15 Chairman Sesso

ADJOURNMENT

00:33:14 Adjournment: 4:00 P.M.



Samuel Speerschneider, Secretary

SS

HOUSE OF REPRESENTATIVES
Roll Call
APPROPRIATIONS COMMITTEE

DATE: 3/24/09 PM

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Hiner	X	
Rep. McNutt	X	
Rep. Villa	X	
Rep. Roberts	X	
Rep. Nooney	X	X excused
Rep. Steenson	X	
Rep. Henry	X	
Rep. McChesney	X	
Rep. Getz	X	
Rep. Hawk	X	
Rep. Kasten	X	
Rep. Morgan	X	
Rep. Hollandsworth	X	
Rep. Ankney	X	
Rep. Pease-Lopez	X	
Rep. Hollenbaugh	X	
Rep. Mehlhoff	X	
Rep. Jones	X	
Rep. Glaser	X	
Chairman Sesso	X	

AUTHORIZED COMMITTEE PROXY

I request to be excused from the APPROPS

Committee because of other commitments. I desire to leave my proxy vote with:

WAC Mc NUTT

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 064503 ad	✓		HB 064517 ad	✓	
HB 064502 exp	✓		HB 064505 am	✓	
HB 064503 am	✓		HB 064503 am	✓	
HB 064504 ad	✓		HB 064501 ad	✓	
HB 064507 exp	✓		HB 064512 ad	✓	
HB 064508 ad	✓		HB 064523 am	✓	
HB 064509 exp	✓		HB 064501 ad	✓	
HB 064513 ad	✓		HB 064517 ad	✓	
HB 064303 ad	✓		HB 064506 ad	✓	
HB 064526 ad	✓		HB 064520 am	✓	
HB 064511 exp	✓		HB 064519 am	✓	
HB 064522 am	✓		HB 064518 am	✓	
HB 064502 ad	✓		HB 064514 ad	✓	
HB 064502 ad	✓		HB 064512 exp	✓	
HB 064519 ad	✓		HB 064518 ad	✓	
HB 064520 ad	✓		HB 064510 am	✓	
			HB 0645 DO Pass	✓	

Rep. Bill Noonan Date 3-24-09

(Signature)

Technical

EXHIBIT

1

DATE 3/24/09

HB 645

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Pamela Joehler
March 23, 2009 (4:31pm)

1. Page B-5.

Following: line 10

Insert: "The lesser of \$668,397 or actual total fiscal year 2010 expenditures from Human and Community Services Division, Child Care Development Block Grant -- FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 5]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 5]."

2. Page B-5.

Following: line 11

Insert: "Total fiscal year 2010 expenditures from CSED -- Temporarily Restore Federal Matching Funds -- FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 5]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 5]."

3. Page B-5.

Following: line 13

Insert: "Total fiscal year 2010 expenditures from FMAP -- FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 5]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 5]."

4. Page E-4.

Following: line 7

Insert: "Total fiscal year 2010 expenditures from the line item Stabilization Funding for Higher Education may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 5]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in

accordance with [section 5]."

- END -

Explanation -

This amendment is based on the premise that amendment HB064503.agp has been passed by the House Appropriations Committee. This amendment replaces language that was deleted by the HB064503.agp amendment.

The language in this amendment impacts the Department of Public Health and Human Services and the Montana University System. The language allows FY 2010 expenditures from federal stimulus funds in the specific line items noted in the amendment to be included in the base budget for the purposes of 17-7-111 for the 2013 biennium, and that the expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget, in accordance with Section 5 of HB 645, as amended by amendment HB064503.agp.

The specific line items include:

DPHHS - Section B

Item 1.b. - Child Care Development Block Grant FY 2010-11

Item 3.b. - CSED Temporarily Restore Federal Matching Funds
FY 2010-11

Item 7.b. - FMAP FY 2010-11

Montana University System -- Section E

Item 3.b. - Stabilization Funding for Higher Education

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 19, 2009 (1:33pm)

1. Page 32, line 1.

Strike: "39"

Insert: "40"

2. Page 32, line 21.

Strike: "39"

Insert: "40"

3. Page 33, line 13.

Strike: "39"

Insert: "40"

4. Page 34, line 3.

Strike: "39"

Insert: "40"

5. Page 34, line 10.

Strike: "39"

Insert: "40"

6. Page 34, line 17.

Strike: "39"

Insert: "40"

7. Page 35, line 6.

Insert: "NEW SECTION. Section 39. Appropriation control. An appropriation item in [section 40] that is designated "Restricted" may be used during the biennium only for the purpose designated by its title and as presented to the legislature."

Renumber: subsequent section

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 20, 2009 (3:07pm)

1. Title, line 15.

Following: "17-7-402,"

Insert: "17-7-502,"

2. Page 6, lines 14 and 15.

Following: "includes" on line 14

Strike: remainder of line 14 through "funds" on line 15

Insert: "items specified in [section 42]"

3. Page 7, line 6.

Strike: "(a)"

4. Page 7, line 8.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

5. Page 7, line 10.

Strike: "and"

6. Page 7, line 11.

Following: "appropriations"

Insert: "; and

(e) items specified in [section 42]"

7. Page 7, line 12.

Strike: subsection (b) in its entirety

8. Page 11, line 2.

Strike: "[LC2314,"

Following: "No."

Insert: "645"

Strike: ", 2009]"

9. Page 11, line 19.

Insert: "Section 7. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative

appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; [section 22]; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; and pursuant to sec. 6, Ch. 2, Sp. L. September 2007, the inclusion of 76-13-150 terminates June 30, 2009.)"

{Internal References to 17-7-502:

2-17-105

5-11-120

5-11-407

5-13-403

7-4-2502	10-1-1202	10-1-1303	10-2-603
10-3-203	10-3-310	10-3-312	10-3-312
10-3-314	10-4-301	15-1-121	15-1-218
15-23-706	15-31-906	15-35-108	15-36-332
15-37-117	15-39-110	15-65-121	15-70-101
15-70-369	15-70-601	16-11-509	17-1-508
17-3-106	17-3-212	17-3-222	17-3-241
17-6-101	17-7-304	17-7-501	18-11-112
19-3-319	19-6-404	19-6-410	19-9-702
19-13-604	19-17-301	19-18-512	19-19-305
19-19-506	19-20-604	19-20-607	19-21-203
20-8-107	20-9-534	20-9-622	20-26-1503
20-26-1503	22-3-1004	23-4-105	23-4-202
23-4-204	23-4-302	23-4-302	23-4-304
23-5-306	23-5-409	23-5-612	23-7-301
23-7-402	37-43-204	37-51-501	39-71-503
41-5-2011	42-2-105	44-1-504	44-12-206
44-13-102	50-4-623	53-1-109	53-6-703
53-24-108	53-24-108	53-24-206	60-11-115
61-3-415	69-3-870	75-1-1101	75-1-1101
75-5-1108	75-6-214	75-10-622	75-11-313
76-13-150	77-1-108	77-2-362	80-2-222
80-4-416	80-5-510	80-11-518	82-11-161
87-1-513	90-1-115	90-1-115	90-1-205
90-3-1003	90-9-306 }"		

Renumber: subsequent sections

10. Page 27, line 1.

Strike: "Reinvestment and Recovery"

Insert: "Recovery and Reinvestment"

11. Page 27.

Following: line 21

Insert: "NEW SECTION. Section 22. Earnings -- statutory appropriation. If the federal government directs that funds received under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, must be invested and that the earnings must be expended for the same purpose as the funds generating the earnings, then the earnings are statutorily appropriated, as provided in 17-7-502, for the same purpose as the funds generating the earnings."

Insert: "NEW SECTION. Section 23. Dissemination of information -- reporting and accountability. The office of the governor shall develop and maintain a website to serve as the official website for the state of Montana for implementing the reporting and accountability requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5. The office shall develop requirements for reporting and posting information to the website, and these requirements are applicable to any recipient of funds from an appropriation in House Bill No. 645."

Renumber: subsequent sections

12. Page 32, line 1.

Strike: "39"

Insert: "42"

13. Page 32, line 21.

Strike: "39"

Insert: "42"

14. Page 33, line 13.

Strike: "39"

Insert: "42"

15. Page 34, line 3.

Strike: "39"

Insert: "42"

16. Page 34, line 10.

Strike: "39"

Insert: "42"

17. Page 34, line 17.

Strike: "39"

Insert: "42"

18. Page 34, line 19.

Following: "instruction."

Insert: "(1)"

Strike: "[Sections 9 and 10]"

Insert: "[Sections 10 and 11]"

19. Page 34, line 20.

Strike: "9 and 10"

Insert: "10 and 11"

20. Page 34, line 21.

Insert: "(2) [Section 22] is intended to be codified as an integral part of Title 17, chapter 3, part 1, and the provisions of Title 17, chapter 3, part 1, apply to [section 22]."

21. Page 35, line 3.

Strike: "15"

Insert: "16"

22. Page 35, line 5.

Strike: "7"

Insert: "8"

Strike: "11"

Insert: "12"

Strike: "20"

Insert: "23"

23. Page B-5, line 11.

Strike: line 11 in its entirety

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 19, 2009 (1:33pm)

1. Page 35, line 3.

Strike: "Section"

Insert: "Sections"

Following: "15"

Insert: "and 17"

Strike: "applies"

Insert: "apply"

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 23, 2009 (8:04am)

1. Page 4, line 5.

Strike: "\$10,895,844"

Insert: "\$16,232,795"

2. Page 4, line 6.

Strike: "\$11,018,627"

Insert: "\$18,505,269"

3. Page 4, line 7.

Strike: "\$16,213,433"

Insert: "\$19,818,193"

4. Page 20.

Following: line 1

Insert: "NEW SECTION. Section 14. Medicaid reserve account.

There is a medicaid reserve account in the state special revenue fund provided for in 17-2-102. Money in the account must be used by the department for medicaid benefits after June 30, 2011. Any interest or income earned on the account must be deposited in the account. Each calendar quarter through December 31, 2010, the amount recovered under the federal medical assistance percentage hold harmless provision of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, must be transferred to the medicaid reserve account."

5. Page 29, line 20.

Strike: "81,719,465"

Insert: "85,719,465"

Strike: "469,113,370"

Insert: "473,113,370"

6. Page 31, line 1.

Strike: "distribution"

Insert: "reduction"

Following: "funds"

Insert: "in the Health Resources Division"

7. Page 32, line 1.

Strike: "39"

Insert: "41"

8. Page 32, line 21.

Strike: "39"

Insert: "41"

9. Page 33, line 13.

Strike: "39"

Insert: "41"

10. Page 34, line 3.

Strike: "39"

Insert: "41"

11. Page 34, line 10.

Strike: "39"

Insert: "41"

12. Page 34, line 17.

Strike: "39"

Insert: "41"

13. Page 34, line 19.

Following: "instruction."

Insert: "(1)"

14. Page 34.

Following: line 20

Insert: "(2) [Section 14] is intended to be codified as an integral part of Title 53, chapter 6, part 1, and the provisions of Title 53, chapter 6, part 1, apply to [section 14]."

Insert: "NEW SECTION. Section 37. Contingent voidness -- notification. (1) If the federal government refuses to participate in or denies approval of any state plan amendment related to [section 2] for medicaid payments to hospitals, then [section 2] is void.

(2) The department of public health and human services shall notify the code commissioner of the occurrence of any determination made pursuant to subsection (1) and the date of the occurrence."

Renumber: subsequent sections

15. Page 35, line 3.

Strike: "15"

Insert: "16"

16. Page 35, line 5.

Following: "7"

Insert: ", 12, 13,"

Strike: "11"

Insert: "15"

17. Page B-4, line 13.

Strike: "53,000,000"

Insert: "54,000,000"

18. Page B-4, line 15.

Strike: "75,000,000"

Insert: "78,000,000"

Strike: "27,000,000"

Insert: "31,000,000"

19. Page B-5, lines 8 and 9.

Strike: lines 8 and 9 in their entirety

20. Page B-5, line 12.

Strike: "\$75"

Insert: "\$71"

Strike: "\$27"

Insert: "\$26"

21. Page B-5, line 13.

Following: "medicaid"

Insert: "and Title IV-E funding"

22. Page B-5.

Following: line 13

Insert: "The total collections of enhanced FMAP include \$146 million that reduces state general fund expenditures, \$14 million of additional general fund revenue from institutional reimbursements and the hospital utilization fee, and \$3 million of additional federal expenditures for schools which does not impact general fund."

Medicaid Caseload is restricted to transfers to a state special revenue account of funds eligible for reserve under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Title V, section 5001.

Medicaid Caseload -FY2010-11 may be used only to pay medicaid benefits above the level appropriated in House Bill No. 2 excluding the healthy Montana kids program.

Up to \$1 million of general fund and \$1 million of federal funds may be used for administration directly attributable to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, or to medicaid benefits."

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 20, 2009 (3:08pm)

1. Page 17, line 7.

Strike: "1988"

Insert: "1998"

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 23, 2009 (6:47am)

1. Title, lines 12 and 13.

Following: "PURPOSES;" on line 12

Strike: remainder of line 12 through "REVENUE ACCOUNT;" on line
13

2. Title, line 16.

Strike: "53-4-1115,"

3. Page 18, line 21 through page 19, line 14.

Strike: section 12 in its entirety

ReNUMBER: subsequent sections

4. Page 32, line 1.

Strike: "39"

Insert: "38"

5. Page 32, line 21.

Strike: "39"

Insert: "38"

6. Page 33, line 13.

Strike: "39"

Insert: "38"

7. Page 34, line 3.

Strike: "39"

Insert: "38"

8. Page 34, line 10.

Strike: "39"

Insert: "38"

9. Page 34, line 17.

Strike: "39"

Insert: "38"

10. Page 35, line 3.

Strike: "15"

Insert: "14"

11. Page 35, line 5.

Strike: "20"

Insert: "19"

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Lois Steinbeck
March 23, 2009 (2:11pm)

1. Page B-5, following line 1.

Insert: "d. Indian Property Exclusion in Medicaid Determination
231,764 310,188" [general fund FY10 and FY11]
"751,536 732,110" [federal special revenue FY10 and FY11]

- END -

Explanation - This amendment adds about \$550,000 general fund and \$1,480,000 federal matching funds for changes in how assets are treated in determining Medicaid eligibility for Indians. The changes were included in the American Recovery and Reinvestment Act of 2009.

Technical

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Dan Villa

For the House Appropriations Committee

Prepared by Kris Wilkinson
March 20, 2009 (8:36am)

1. Page E-2.

Following: line 11

Insert: "MONTANA ARTS COUNCIL (5114)

1. National Endowment for the Arts

145,500 145,500 [federal special revenue FY10 FY11]"

- END -

Explanation - This amendment adds appropriation authority for the Montana Arts Council to spend federal stimulus funds granted to it by the National Endowment for the Arts.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Dave Kasten

For the House Appropriations Committee

Prepared by Catherine Duncan
March 24, 2009 (2:55pm)

12.29p

26.213

22.2ms

23.2ms

02.2kw1. Page 32, line 3.

17.26s **Strike:** "(4)"

03.2p4 **Insert:** "(3)"

11.29p2. Page 32, line 5.

01.29p **Strike:** "administration fund"

01.26s **Insert:** "conservation repayment account"

17.2ms

06.2kw3. Page 32, line 7.

20.2ms **Following:** "conservation"

19.2ms **Insert:** "capital"

19.2ms **Following:** "year"

19.2ms **Insert:** "and if the total allocations of the federal funds

8.26s received pursuant to the American Recovery and Reinvestment

05.2msd Act of 2009, Public Law 111-5, to the department of

19.2ed environmental quality in House Bill No. 5 is in the amount

of \$20 million or greater"

20.2ed

17.29p4. Page 32, line 9.

20.2ms **Strike:** "\$6"

19.26s **Insert:** "\$3"

5. Page 32, line 11 through 14.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

6. Page 32, line 15.

Strike: "(4)"

Insert: "(3)"

7. Page 32, line 18.

Strike: "or (3)"

8. Page 32, line 19.

Strike: "through (3)"

Insert: "and (2)"

9. Page 32, line 20.

Strike: "through (3)"

Insert: "and (2)"

10. Page 33, line 2.

Strike: "(2)"

Insert: "(3)"

11. Page 33, line 5.

Strike: "\$2"

Insert: "\$1"

12. Page 33, line 8 through 10.

Strike: ";" on line 8 through "void" on line 10

13. Page 33, line 11.

Following: line 10

Insert: " (2) Subject to subsection (3), if House Bill No. 10 is passed and approved and if [this act] does not contain a transfer of general fund of \$1.5 million for the secretary of state for the SOS information management system, then the appropriation for that purpose in House Bill No. 10 is void."

Renumber: subsequent sections

14. Page 33, line 11.

Strike: "subsection (1)"

Insert: "subsections (1) and (2)"

Strike: the second "subsection"

15. Page 33, line 12.

Strike: "(1)"

Insert: "subsections (1) and (2)"

16. Page 33, line 13.

Strike: "subsection (1)"

Insert: "subsections (1) and (2)"

17. Page F-1, line 9.

Strike: "7,094,000[FY 2010 Federal Special Revenue]"

Insert: "6,519,000[FY 2010 Federal Special Revenue]"

Strike: "7,094,000[FY 2011 Federal Special Revenue]"

Insert: "6,519,000[FY 2011 Federal Special Revenue]"

- END -

This is a technical amendment for agreement with HB 5 because the DEQ found out that their federal energy grant was less than originally thought and makes other technical changes in HB 5 and HB 10 coordination language.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Barbara Smith
March 24, 2009 (3:10pm)

1. Page C-4.

Strike: line 16 through page C-5, line 3 in their entirety

- END -

Explanation - This removes \$333,500 general fund each year of the biennium for a total of \$667,000 from the Department of Agriculture for the invasive species program.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Penny Morgan

For the House Appropriations Committee

Prepared by Lois Steinbeck and Marilyn Daumiller
March 24, 2009 (1:58pm)

1. Page 29, following line 5.

Insert: "NEW SECTION. Section 28. Appropriation. (1) The amount of \$4 million from general fund appropriations in section 9-B, items 9, 10, 11, and 12, of Chapter 5, Special Laws of May 2007, in excess of \$13 million of general fund appropriations that would otherwise revert on June 30, 2009, are appropriated in the 2011 biennium for Provider Rate Increase.

(2) Any funds remaining in section 9-B, item 12j, Chapter 5, Special Laws of May 2007, on June 30, 2009, that would otherwise revert are appropriated in the 2011 biennium for Mental Health Crisis Diversion Pilot Program."

Renumber: subsequent sections

2. Page 32, line 1.

Strike: "39"

Insert: "40"

3. Page 32, line 21.

Strike: "39"

Insert: "40"

4. Page 33, line 13.

Strike: "39"

Insert: "40"

5. Page 34, line 3.

Strike: "39"

Insert: "40"

6. Page 34, line 10.

Strike: "39"

Insert: "40"

7. Page 34, line 17.

Strike: "39"

Insert: "40"

8. Page B-3, following line 3.

Insert: "q. Food for Food Banks (Restricted)

250,000 250,000" [general fund FY10 and FY11]

"r. Homeless Prevention/Emergency Food & Shelter -- General Fund
(Restricted)

750,000 750,000" [general fund FY10 and FY11]

9. Page 3, following line 6.

Insert: "b. Provider Rate Increase (Restricted)

2,000,000 2,000,000" [general fund FY10 and FY11]

"8,527 7,980 [state special revenue FY10 and
FY11]

"3,588,062 3,118,487" [federal special revenue FY10 and
FY11]

10. Page B-4, line 10.

Strike: "1,315,737 1,000,000" [federal special revenue FY10 and
FY11]

Insert: "1,265,733 949,981" [federal special revenue FY10 and
FY11]

11. Page B-4, following line 10.

Insert: "c. Transitions Coordinator (Restricted)

50,004 50,019" [federal special revenue FY10 and FY11]

12. Page B-5, following line 1.

Insert: "d. Sustain System of Care and Kids Management
Authorities (Restricted)

333,500 333,500" [general fund FY10 and FY11]

13. Page B-5, following line 4.

Insert: "b. Nonmedicaid Community Aging Services (Restricted)

1,500,000 1,500,000" [general fund FY10 and FY11]

"9. Addictive and Mental Disorders Division

a. Mental Health Crisis Diversion Pilot Program (Restricted)

2,000,000 2,000,000" [general fund FY10 and FY11]

14. Page B-5, following line 10.

Insert: "Provider Rate Increase may be used only to fund a provider rate increase. Funds may be allocated among programs."

Homeless Prevention/Emergency Food & Shelter -- General Fund may be used by the Human and Community Services Division only to allow human resource development councils to assist shelters throughout the state in the four components identified for shelters in the federal grant: (1) essential services to homeless families; (2) one-time payments for homeless prevention services; (3) maintenance funding in support of existing emergency shelters and domestic violence facilities that provide shelter, food, and individual support services; and (4) rehabilitation or conversion of buildings for homeless shelters."

15. Page B-5, following line 11

Insert: "Funding for Transitions Coordinator may only be expended by the Disability Services Division for a transitions coordinator."

16. Page B-5, following line 13.

Insert: "Mental Health Crisis Diversion Pilot Program is contingent upon passage and approval of House Bill No. 130, House Bill No. 131, and House Bill No. 132 and may be used only to implement those bills."

- END -

Explanation - This amendment appropriates \$6,833,500 million each year of the 2011 biennium for provider rate increases, food banks, emergency food and shelter, System of Care sustainability, nonMedicaid community aging services, and the mental health crisis pilot project. The amendment segregates \$100,023 from a "silo" grant for vocational rehabilitation to be used to fund a contract for a transitions coordinator. The amendment also adds \$16,507 state special revenue and \$6,706,549 federal funds over the biennium for provider rate increases.

\$5 million of the general fund increase is funded from FY 2009 reversions.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 24, 2009 (1:52pm)

1. Title, line 15.

Following: "PROGRAM;"

Insert: "REVISING THE PRIORITIES FOR FUNDING UNDER THE BIG SKY
ECONOMIC DEVELOPMENT PROGRAM;"

2. Title, line 16.

Following: "75-25-101,"

Strike: "AND"

Following: "75-25-102,"

Insert: "AND 90-1-204,"

3. Page 27.

Following: line 21

Insert: "Section 21. Section 90-1-204, MCA, is amended to read:

"90-1-204. Priorities for funding -- rulemaking. (1) The department must receive proposals for grants and loans from local governments. A local government shall work with an economic development organization on a proposal. The department shall work with the local government and the economic development organization in preparing cost estimates for a proposed project. In reviewing proposals, the department may consult with other state agencies with expertise pertinent to the proposal.

(2) (a) The department shall adopt rules necessary to implement the big sky economic development program. In adopting rules, the department shall look to the rules adopted for the treasure state endowment program and other similar state programs. To the extent feasible, the department shall make the rules compatible with those other programs. To the extent feasible, the department shall employ an approach pertaining to the use of funds so that, except as provided in subsection (2)(b), the needs of rural areas are balanced with the needs of the state's urban centers.

(b) For high-poverty counties, the department shall employ an approach pertaining to the use of funds that is intended to lower poverty levels in the county to a percentage at which the county no longer is defined as a high-poverty county.

(c) The rules must provide for the types of uses of funds available under the big sky economic development program. The types of uses of funds by:

(i) local governments include but are not limited to:

(A) a reduction in the interest rate of a commercial loan for the expansion of a basic sector company;

(B) a grant or low-interest loan for relocation expenses for a basic sector company; and

(C) rental assistance or lease buy-downs for a relocation or expansion project for a basic sector company;

(ii) a certified regional development corporation include:

(A) support for business improvement districts and central business district redevelopment;

(B) industrial development;

(C) feasibility studies;

(D) creation and maintenance of baseline community profiles; and

(E) matching funds for federal funds, including but not limited to brownfields funds and natural resource damage funds.

(d) (i) The rules must provide for distribution methods for financial assistance available to local governments. The Except for local government projects specifically authorized in [House Bill No. 645], the rules must provide for distribution based upon the number of jobs expected to be created because of the funding.

(ii) Funding Except for local government projects specifically authorized in [House Bill No. 645], funding may not exceed \$5,000 for each expected job, except that funding for a project in a high-poverty county may not exceed \$7,500 for each expected job.

(iii) The Except for local government projects specifically authorized in [House Bill No. 645], the rules must require equal matching funds for a grant or loan, except that the rules for a grant or a loan in a high-poverty county may allow a 50% to 100% match requirement for the high-poverty county.

(e) The Except for local government projects specifically authorized in [House Bill No. 645], the rules may provide for greater incentives for a high-poverty county.

(f) The Except for local government projects specifically authorized in [House Bill No. 645], the rules must provide for the full or partial repayment of a grant if the new jobs or some of the new jobs for which a grant is given are not created.

(g) A Except for local government projects specifically authorized in [House Bill No. 645], a grant or loan may be made only for a new job that has an average weekly wage that meets or exceeds the current average weekly wage of the county in which the employees are to be principally employed."

{ Internal References to 90-1-204:

17-5-703x 17-5-703x } "

Insert: "NEW SECTION. Section 22. County projects -- allocation of funds. The appropriation in [section 41] for county projects must be allocated as provided in this section and must be used only for the indicated purpose. County project funds must be allocated as follows:

Beaverhead \$199,902 county courthouse repair

Big Horn \$195,663 Little Horn road reconstruction
 Blaine \$187,422 county building improvements
 Broadwater \$138,301 county road chip seal
 Carbon \$157,060 West Fork road expansion
 Carter \$144,862 gravel crushing
 Cascade \$247,092 county building energy performance
 contract
 Chouteau \$194,862 county road repair and reconstruction
 Custer \$157,596 county road and buildings: Silo Loop road
 \$42,596; Pine Hills improvement \$85,000; county building repair
 and remodel \$30,000
 Daniels \$134,923 county road gravel screening/crushing
 Dawson \$161,231 county building
 repair/remodel/construction
 Deer Lodge \$128,973 energy upgrades and renovation of city
 hall
 Fallon \$135,369 county road and parks shop building
 Fergus \$191,553 Scott Crossing bridge replacement
 Flathead \$429,261 Mennonite Church and Creston roads
 construction
 Gallatin \$302,907 fairgrounds restroom construction and
 replacement
 Garfield \$159,808 county building heating/cooling system
 replacement
 Glacier \$180,677 Glacier County jail/detention center
 Golden Valley \$123,455 fire hall and roads: Golden
 Valley/Ryegate fire hall \$103,455; Golden Valley roads \$20,000
 Granite \$139,211 Metesch Lane bridge replacement
 Hill \$195,921 Sheppard and Bulhook roads pavement overlay
 Jefferson \$169,757 Boulder south campus sewer replacement
 Judith Basin \$143,967 replace Arrow Creek and Judith River
 bridge: Arrow Creek bridge \$70,046; Judith River bridge \$73,921
 Lake \$226,694: South Valley Creek bridge replacement
 \$160,000; Skyline bridge repair \$40,000; courthouse
 weatherization \$26,694
 Lewis and Clark \$282,922 Lewis and Clark County
 fairgrounds plaza
 Liberty \$139,405 Liberty senior center
 Lincoln \$252,108 Tobacco Valley industrial park
 infrastructure improvements
 Madison \$179,577: Madison County office renovation
 \$101,577; Madison County bridge improvement projects \$78,000
 McCone \$148,210 geothermal heat loop courthouse retrofit
 Meagher \$134,964 county building energy efficiency and
 handicap accessibility updates
 Mineral \$144,010 Mineral County jail and courthouse
 restoration and repair
 Missoula \$319,667 Big Flat road reconstruction
 Musselshell \$139,793 Goffena bridge replacement
 Park \$178,841 9th Street bridge replacement

Petroleum \$125,061 courthouse windows, Dovetail Creek crossing, and Petroleum County road upgrade: energy efficient courthouse windows retrofit \$5,000; Dovetail Creek crossing \$5,000; Petroleum County road upgrade \$75,061

Phillips \$180,968 courthouse parking lot and sidewalk projects

Pondera \$149,520 Pondera County community and senior center remodel

Powder River \$147,735 county road reconstruction and gravel

Powell \$148,555 energy efficient windows and boiler for county courthouse

Prairie \$129,674 county fairgrounds grandstand replacement \$80,000; Terry park facilities renovation \$49,674

Ravalli \$297,867 Ambrose Creek road pavement preservation

Richland \$162,551 Spring Lake road reconstruction

Roosevelt \$172,632 energy efficient courthouse windows project

Rosebud \$183,085: Ingomar water and sewer project \$83,085; Forsyth library elevator project \$100,000

Sanders \$185,012 high bridge reconstruction

Sheridan \$152,144 county road gravel and engineering: county road gravel crushing \$137,144; Plentywood bypass route \$15,000

Silver Bow \$127,965 county road repair and maintenance

Stillwater \$167,535 county courthouse and bridge: Stillwater County courthouse repair and renovation \$77,279; Stillwater County bridge \$90,256

Sweet Grass \$135,147 Pioneer medical center renovation

Teton \$168,135 county nursing home and county road gravel: county nursing home renovation \$130,000; county road gravel \$38,135

Toole \$148,528 energy efficient lighting for Toole County hospital

Treasure \$115,141 county building renovations: community center \$20,100; community center \$74,861; courthouse ADA upgrade \$20,180

Valley \$203,624 Valley County detention center addition

Wheatland \$124,649 county road shop and Harlowtown fire hall: county road shop \$83,099; Harlowtown fire hall \$41,550

Wibaux \$119,948 county fairgrounds exhibit building

Yellowstone \$288,560 Clapper Flat and Vandaveer roads and courthouse remodel: Clapper Flat road \$100,000; Vandaveer road \$100,000; courthouse remodel \$88,560"

Renumber: subsequent sections

4. Page 32, line 1.

Strike: "39"

Insert: "41"

5. Page 32, line 21.

Strike: "39"

Insert: "41"

6. Page 33, line 13.

Strike: "39"

Insert: "41"

7. Page 34, line 3.

Strike: "39"

Insert: "41"

8. Page 34, line 10.

Strike: "39"

Insert: "41"

9. Page 35, line 5.

Strike: "20"

Insert: "21"

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Dan Villa

For the House Appropriations Committee

Prepared by Matthew Stayner
March 24, 2009 (10:26am)

1. Page A-3.

Following: line 2

Insert: "f. Indian Country Economic Development 1,500,000
1,500,000" [general fund FY 10 and FY 11]

- END -

Explanation - This amendment increases the total funding for the Indian Country Economic Development program of the Business Resources Division at the Department of Commerce by \$3,000,000 over the biennium.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Dan Villa

For the House Appropriations Committee

Prepared by Kris Wilkinson
March 24, 2009 (7:44am)

1. Page A-1.

Strike: line 14 through line 16

Renumber: subsequent subsections

2. Page E-2, line 9.

Following: line 8

Insert: "h. Special Education - Maintenance of Effort - FY 2009"
1,233,764 1,233,764 [general fund FY10 FY11]

i. Flex Fund

5,000,000 5,000,000 [general fund FY10 FY11]"

3. Page E-2.

Following: line 11

Insert: "Total fiscal year 2010 expenditures from the line item
Flex Fund may be included in the base budget as the at-risk
funding component for the purposes of 17-7-111 for the 2013
biennium budget in accordance with [section 5]. These
expenditures may be funded with general fund in the present
law budget for the 2013 biennium executive budget in
accordance with [section 5]."

4. Page E-3,

Following: line 2

Insert: "b. Community Colleges Tuition Mitigation
776,851 824,024 [general fund FY10 FY11]"

5. Page E-3.

Following: line 7

Insert: " c. Montana University System Tuition Mitigation and
Increased Access to Distance Learning for Resident Students
4,103,549 4,103,549 [general fund FY10 FY11]

d. PBS Satellite Delivery

200,000 200,000 [general fund FY10 FY11]

e. Agricultural Experiment Station and Montana Extension

Service Additional Funding
300,000 300,000 [general fund FY10 FY11]"

f. Virtual High School
1,120,000 1,120,000 [general fund FY10 FY11]

6. Page E-3.

Strike: line 14 through line 16

- END -

Explanation - This amendment eliminates general fund support for Teachers Retirement by reducing general fund \$21.5 million in FY 2010 and \$21.5 million in FY 2011.

The amendment also funds \$36,515,501 of educational proposals in the 2011 biennium. Included in the amendment is:

\$2,467,528 in general fund to provide funds for maintenance of effort in special education. Without the funds Montana will have to repay \$2,467,528 to the Department of Education for federal IDEA funds which were not supported by for maintenance of effort in the 2011 biennium.

\$10.0 million in general funds to provide for funding for K-12 through the state flex fund.

\$0.6 million in general fund to provide support to the Agriculture Experiment Stations (AES) and the Extension Service. to fund \$150,000 each year of the biennium for HB 334 sawfly research at the AES and to fund the local government center.

\$1,600,875 in general funds to provide funds to offset tuition increases at the community colleges.

\$8,207,098 in general fund to offset tuition increases at the Montana University System.

\$0.4 million in general fund to provide funding for Public Broadcasting System satellite delivery to rural areas of Montana.

\$4.24 million in general fund to support a virtual high school at the University of Montana. HB 459 creates a virtual academy to make distance learning opportunities available to all public school districts in Montana.

Finally, the amendment removes language that restricted an appropriation to the MUS as the MUS is under the control and

direction of the Board of Regents and the language is not considered appropriate for HB 645. The amendment adds language to allow the flex fund payment to be considered as the at-risk base budget amount for the 2013 biennium.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Llew Jones

For the House Appropriations Committee

Prepared by Barbara Smith
March 24, 2009 (10:22am)

1. Page A-3.

Following: line 5

Insert: "b. Biomass Energy Study 500,000"

2. Page D-2.

Strike: line 2 through line 3

Renumber: subsequent sections

- END -

Explanation - This amendment provides \$500,000 general fund in FY10 only to the Department of Commerce for the purpose of contracting out for a study on bio-mass energy in NW Montana. The second portion of the amendment eliminates \$500,000 general fund in FY10 for the purposes of Meth Watch in the Department of Justice. The net impact of this amendment is zero.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Marilyn Daumiller
March 23, 2009 (3:34pm)

1. Page B-5.

Following: line 1

Insert: "d. Transitional Medicaid

196,432	248,020	[general fund FY10 and FY11]
636,968	585,380	[federal fund FY10 and FY11]"

- END -

Explanation -

General funds and federal funds for FY 2010 and 2011 are being increased because of larger Medicaid costs that will result from the extension of the initial eligibility period for Transitional Medicaid from 6 months to 12 months. This amount is \$833,400 total funds per fiscal year.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Cynthia Hiner

For the House Appropriations Committee

Prepared by PAT GERVAIS
March 20, 2009 (7:33am)

1. Page 31, line 15 through line 16.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

2. Page 31, line 17 through line 19.

Strike: ":" on page 31, line 17 through "(ii)" on page 31, line 19

3. Page D-1.

Following: line 1

Insert: "JUDICIARY

1. Supreme Court Operations (01)

a. Self-Help Law Program 247,500 247,500" [General Fund FY 2010 and FY 2011]

4. Page D-1.

Following: line 13

Strike: line 14 through line 16 in their entirety

Insert: "1. Legal Services Division (01)

a. Crime Victims Compensation Grant 90,582 90,582" [Federal Fund FY 2010 and 2011]

5. Page D-2.

Following: line 9

Strike: line 10 through line 12 in their entirety

Insert: "1. Community Corrections (02)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime 73,225 73,620" [General Fund FY 2010 and 2011]

2. "Secure Care (03)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime 997,547 1,002,781" [General Fund FY 2010 and 2011]

3. "Juvenile Corrections (05)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime 282,040 283,346" [General Fund FY 2010 and FY 2011]

- END -

Explanation - This amendment removes general fund to reissue license plates from the bill (\$3,207,558 for the biennium) and provides general fund to 1) the Self-Help Law Program \$495,000

for the biennium (\$247,500 per year) and 2) exempt 24-7 staff at correctional institutions from vacancy savings (\$3,558,536 for the biennium) with an offsetting reduction in funding for over time (\$845,978 for the biennium). The net impact of this amendment is zero.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 20, 2009 (4:17pm)

1. Title, line 15.

Following: "PROGRAM;"

Insert: "ESTABLISHING THE DISTRESSED WOOD PRODUCTS INDUSTRY
RECOVERY PROGRAM;"

2. Page 28, line 1.

Insert: "NEW SECTION. Section 21. Distressed wood products industry recovery program -- findings -- loans and grants -- rulemaking. (1) Due to the current, well-documented decline in the wood products industry in Montana, the legislature finds that there is a need to assist the Montana wood products industry as a whole through a multifaceted and integrally related grant and loan program.

(2) Businesses that may be eligible under the program for loans, grants, or loans and grants include but are not limited to sawmills, plywood plants, paper and linerboard manufacturers, bark and byproducts-related businesses, round wood producers, wood chip processors, loggers, log haulers, biochar and biomass producers, and other innovative manufacturers and processors of wood products.

(3) (a) The department of commerce shall use money appropriated for the distressed wood products industry to implement the program.

(b) Money appropriated to the department of commerce may be used by the department to, among other things:

(i) provide state matching funds to federal agencies to create loan or grant programs that will benefit the types of businesses listed in subsection (2), including the commingling of appropriated funds with federal funds as needed to meet federal regulations and grant requirements; and

(ii) provide loans, grants, or both loans and grants to the types of businesses listed in subsection (2).

(c) Repayments of loans to the department of commerce may be used by the department as revolving loan funds for primary sector business throughout the state.

(4) The department of commerce may adopt rules necessary to implement the program. Rules adopted by the department must be based upon similar finance programs administered by the department and must include:

(a) sufficient business plan and financial information to

allow a reasonable determination regarding the potential feasibility of the business to create and retain jobs and, in the case of loans, to make repayments to the department;

(b) annual information from each assisted business for the term of the grant or loan agreement regarding jobs created and retained, pay levels, financial status, and reports on overall project activities; and

(c) loan and grant amounts for each job, funding limits, and matching fund requirements."

Insert: "NEW SECTION. Section 22. Rulemaking. The department of commerce may adopt rules to implement the worker training program and the broadband matching grant program funded in House Bill No. 645."

Renumber: subsequent sections

3. Page 32, line 1.

Strike: "39"

Insert: "41"

4. Page 32, line 21.

Strike: "39"

Insert: "41"

5. Page 33, line 13.

Strike: "39"

Insert: "41"

6. Page 34, line 3.

Strike: "39"

Insert: "41"

7. Page 34, line 10.

Strike: "39"

Insert: "41"

8. Page 34, line 17.

Strike: "39"

Insert: "41"

9. Page 34, line 19.

Following: "instruction."

Insert: "(1)"

10. Page 34, line 21.

Insert: "(2) [Sections 21 and 22] are intended to be codified as an integral part of Title 90, chapter 1, part 1, and the provisions of Title 90, chapter 1, part 1, apply to [sections 21 and 22]."

11. Page 35, line 5.

Following: "7"

Insert: ", "

Strike: "and"

Following: "20"

Insert: ", and 22"

12. Page A-4, line 7.

Following: "economy."

Insert: "The line item for Worker Training is intended to be implemented using a framework similar to that established under the Primary Sector Business Workforce Training Act, provided for in Title 39, chapter 11, except that the Worker Training appropriation line item is to be used to train and educate both new and existing employees."

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 24, 2009 (1:17pm)

1. Page 27.

Following: line 21

Insert: "NEW SECTION. **Section 21. Municipal projects -- allocation of funds.** The appropriation in [section 40] for municipal projects must be allocated as provided in this section and must be used only for the indicated purpose. Municipal project funds must be allocated as follows:

 Alberton \$13,397 street repairs and paving
 Anaconda-Deer Lodge \$130,438 energy upgrades and renovation of city hall
 Bainville \$11,259 Simard Park improvements -- sprinkler systems and sidewalks
 Baker \$40,504 storm drain installation on South Montana 7 and Secondary 322
 Bearcreek \$7,578 town hall renovation and repairs
 Belgrade \$131,883 street intersection reconstruction and sidewalk extension
 Belt \$16,384 replace concrete water storage tank
 Big Sandy \$20,619 sewer main replacement and resurface Johannes Avenue
 Big Timber \$41,057 Anderson Street asphalt overlay project
 Billings \$1,676,045 reconstruction Alkali Creek Road
 Boulder \$33,298 water system treatment project
 Bozeman \$621,404 water system treatment project; water reclamation facility -- water treatment plant design; recreation facility improvements; sidewalks and restroom upgrades in parks
 Bridger \$20,642 street and sidewalk repairs
 Broadus \$16,072 addition to city hall for police department and sewer lagoon repairs
 Broadview \$8,954 general repairs and maintenance
 Brockton \$9,836 wastewater system repairs and street and alley repairs
 Browning \$24,148 new fire hall
 Butte-Silver Bow \$556,425 road repairs and maintenance
 Cascade \$19,869 one block sewer main replacement
 Chester \$22,690 chip seal town streets
 Chinook \$31,885 city hall repair and improvements and paint armory building
 Choteau \$44,091 city hall-fire station remodel and replace

unit heaters in Pavilion building

Circle \$19,420 purchase street patcher equipment and sewer treatment plant

Clyde Park \$12,832 construction of Lathrop Street

Colstrip \$47,276 Orchard lift station replacement

Columbia Falls \$90,832 street construction and improvements

Columbus \$44,373 replace curb, gutter, and sidewalk on Pike Avenue

Conrad \$54,770 replace hydrants and valves and overlay Dakota Street

Culbertson \$20,255 architecture design of new fire hall

Cut Bank \$62,063 final engineering and design work for Railroad Street

Darby \$20,008 water system improvement project

Deer Lodge \$70,086 phase 1 sewer rehabilitation collection system

Denton \$12,524 water-sewer upgrades, building repairs, and street repairs

Dillon \$78,244 Glendale street project

Dodson \$8,579 street repairs

Drummond \$11,830 street repairs and park maintenance

Dutton \$13,855 city park improvements

East Helena \$43,300 renovate city hall

Ekalaka \$15,477 bridge and street repair

Ennis \$24,703 town hall expansion and remodel project

Eureka \$24,803 repair main arterial road

Fairfield \$18,389 design and erect new fire hall, televise sewer lines, and replace hydrants

Fairview \$22,524 park bathrooms renovation

Flaxville \$7,652 water storage tank repairs

Forsyth \$45,126 water storage tank and water works repairs

Fort Benton \$39,975 chip seal city streets, U.S. highway 87 repairs, and airport runway improvements

Fort Peck \$13,156 replace aging fire hydrants

Froid \$11,174 water storage reservoir replacement

Fromberg \$14,368 street and sidewalk repairs

Geraldine \$12,701 main sewer line extension

Glasgow \$61,137 rehabilitate southside lift station

Glendive \$89,710 street reconstruction

Grass Range \$8,768 water, sewer, and street repairs

Great Falls \$975,637 West Bank street and right-of-way improvement and civic center roof repair

Hamilton \$86,900 Tenth street reconstruction

Hardin \$67,908 new fire hall

Harlem \$21,164 city hall renovation and weatherization and street maintenance

Harlowton \$25,565 replace sidewalks and install handicapped curbs

Havre \$165,970 new lift station and recoat concrete water tank

Helena \$504,707 Centennial Park trail system construction
 Hingham \$9,704 sewer project, street and sidewalk repairs,
 and fire hydrants
 Hobson \$11,506 extend water to boulevard on Main Street
 Hot Springs \$18,326 remodel fire hall and repair streets
 Hysham \$12,182 overlay town streets
 Ismay \$7,064 general repairs and maintenance
 Joliet \$16,083 sewer and water improvements
 Jordan \$14,548 improve existing streets
 Judith Gap \$9,295 Fourth Avenue street improvements
 Kalispell \$342,370 street projects
 Kevin \$10,823 drainage, culvert, and road repairs
 Laurel \$118,788 open ditch mitigation near middle school
 Lavina \$10,753 install new water system
 Lewistown \$117,648 chip seal streets
 Libby \$58,276 sewer main extension to Cabinet Heights
 Lima \$11,955 regravels streets and park shelter
 Livingston \$136,279 safety and building repairs to
 Sacajawea Park and repairs to sidewalks and streets
 Lodge Grass \$15,187 sewer lagoon
 Malta \$42,923 water and sewer line repairs and
 maintenance and street paving and repairs
 Manhattan \$36,536 sidewalk extensions, repairs, and
 maintenance
 Medicine Lake \$12,088 sewer lagoon maintenance, water
 tower, and waterworks repairs
 Melstone \$9,245 install fire hydrants; water and sewer
 installation to community center; and sidewalks, curbs, and
 gutters
 Miles City \$157,904 stormwater system sediment removal
 Missoula \$1,074,759 ADA sidewalk ramps and North Higgins
 streetscape
 Moore \$10,877 street repairs and capital improvements
 Nashua \$13,631 sewer and water main replacements
 Neihart \$7,739 streets and capital improvements
 Opheim \$9,207 water system and general repairs
 Outlook \$7,988 connect water system to new well
 Philipsburg \$26,234 replace water and sewer lines
 Pinesdale \$21,284 capital improvements and repairs
 Plains \$27,846 city hall renovations including ADA
 bathrooms and furnace and air conditioning
 Plentywood \$39,352 engineering study of wastewater
 treatment system, replace sidewalk at city hall and add gutter
 system, and chip seal streets
 Plevna \$9,154 culvert and drainage improvements and chip
 seal streets
 Polson \$94,816 Riverside water main replacement
 Poplar \$21,571 street repairs after water line
 installation
 Red Lodge \$53,688 roof repairs on city hall and police

station

Rexford	\$7,854	community center siding and repairs
Richey	\$10,567	road repairs and maintenance
Ronan	\$41,463	repair and overlay Third Avenue Northwest
Roundup	\$46,586	curbs, gutters, and sidewalks on Second Avenue East
Ryegate	\$12,138	city park improvements
Saco	\$11,102	street repairs and maintenance
Saint Ignatius	\$21,269	street paving and pedestrian path and other park repairs
Scobey	\$27,169	weatherize city hall
Shelby	\$77,585	street repairs
Sheridan	\$18,747	street repairs and maintenance
Sidney	\$96,526	Twenty-Second Avenue Northwest

reconstruction

Stanford	\$15,630	street intersection improvements and replacements
Stevensville	\$38,457	repair and replace roof on town hall complex building
Sunburst	\$16,673	resurface streets, ADA curbs and gutters, and other street repair
Superior	\$24,109	water construction phase II, street repairs, and renovate park buildings
Terry	\$23,571	park improvements
Thompson Falls	\$34,730	street repairs and replace water meters with radio read meters
Three Forks	\$43,434	pave streets and equip parks and recreation facilities
Townsend	\$41,340	Broadway sidewalk replacement
Troy	\$23,328	city hall restoration
Twin Bridges	\$13,847	public walking path connecting parks
Valier	\$21,037	install water tank, new water meters, and install water lines and trunks
Virginia City	\$11,859	remodel and relocate city hall
Walkerville	\$23,093	street improvements
West Yellowstone	\$31,130	wastewater improvements
Westby	\$9,048	resurface streets
White Sulphur Springs	\$29,462	patch and repair city streets
Whitefish	\$146,023	new emergency services building
Whitehall	\$26,781	new ambulance building and wastewater improvements
Wibaux	\$17,644	remodel park bathroom as handicapped accessible
Winifred	\$9,708	drainage projects
Winnett	\$11,507	street drainage improvements
Wolf Point	\$52,535	gate valve and hydrant replacement"

Renumber: subsequent sections

Strike: "39"
Insert: "40"

3. Page 32, line 21.
Strike: "39"
Insert: "40"

4. Page 33, line 13.
Strike: "39"
Insert: "40"

5. Page 34, line 3.
Strike: "39"
Insert: "40"

6. Page 34, line 10.
Strike: "39"
Insert: "40"

7. Page 34, line 17.
Strike: "39"
Insert: "40"

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Matthew Stayner
March 24, 2009 (10:57am)

1. Page A-3.

Following: line 8

Insert: "b. County Projects 5,000,000 5,000,000" [general fund
FY 10 and FY 11]

Insert: "c. Municipal Projects 5,000,000 5,000,000" [general
fund FY 10 and FY 11]

- END -

Explanation - This amendment creates the line item appropriation
for the county and municipal projects contained in the bill.

Amendments to House Bill No. 645
1st Reading Copy

For the House Appropriations Committee

Prepared by Susan Byorth Fox
and Kris Wilkinson
March 24, 2009 (1:58pm)

1. Title, line 15.

Following: "PROGRAM;"

Insert: "PROVIDING FOR A QUICK START ENERGY PROGRAM WITHIN THE
DEPARTMENT OF COMMERCE FOR QUICK START ENERGY EFFICIENCY
IMPROVEMENTS FOR SCHOOL FACILITIES;"

2. Page 27.

Following: line 21

"NEW SECTION. Section 21. Quick start energy grants. (1)

There is a quick start energy program within the department of commerce for quick start energy efficiency improvement grants to public school districts for projects that provide long-term, cost-effective benefits to school facilities.

(2) A public school district may submit an application to the department of commerce for quick start energy efficiency improvement grant funding for:

(a) an energy audit or evaluation of the potential for energy savings in a school facility by a prequalified energy auditor; or

(b) energy efficiency improvements that are based on an energy audit or evaluation and that are expected to achieve measurable energy efficiency to a school facility and cost savings to the public school district.

(3) In awarding grants under this section, the department of commerce shall consider the potential for energy savings in a public school facility based on the age, energy use, function, and condition of the building.

(4) The department of commerce may consult with the department of environmental quality and the architecture and engineering division of the department of administration in the review and evaluation of quick start grant applications.

(5) Of the line item appropriation for the School Facilities Program Administration and Grants found in [section 40], up to \$35 million may be used, at the discretion of the department of commerce, to award grants under the quick start energy program. The department of commerce shall distribute quick start funds on a reimbursement basis from May 15, 2009, until September 30, 2009. Any quick start funds not obligated under this section for reimbursement to a public school district by September 30, 2009, must be used as provided in [section 40] for the School Facilities Program Administration and Grants line

item appropriation.

(6) The department of commerce shall collect information regarding the cost savings to public school districts that make energy efficiency improvements based on grant funding received under subsection (2)(b).

(7) The department of commerce shall consult with the office of public instruction on the disbursement of quick start grants and shall make every attempt to accommodate large schools, small schools, urban schools, and rural schools.

(8) Quick start grants made under this program are subject to review by the legislative finance committee."

Renumber: subsequent sections

3. Page 32, line 1.

Strike: "39"

Insert: "40"

4. Page 32, line 21.

Strike: "39"

Insert: "40"

5. Page 33, line 13.

Strike: "39"

Insert: "40"

6. Page 34, line 3.

Strike: "39"

Insert: "40"

7. Page 34, line 10.

Strike: "39"

Insert: "40"

8. Page 34, line 17.

Strike: "39"

Insert: "40"

9. Page 35, line 5.

Strike: "20"

Insert: "21"

10. Page A-4, line 2.

Strike: "21,502,800 [state special revenue FY10]"

Insert: "13,536,800 [state special revenue FY10]"

Following: line 2

Insert: "c. Huntley Project School

3,000,000 [state special revenue FY10]

d. Browning School

500,000 [state special revenue FY10]

e. Brockton School
500,000 [state special revenue FY10]
f. Conrad School
626,000 [state special revenue FY10]
g. Montana Learning Center
100,000 [state special revenue FY10]
h. Blue Creek School
1,240,000 [state special revenue FY10]
i. Virtual High School
2,000,000 [state special revenue FY10] "

11. Page A-4.

Following: line 14

Insert: " Huntley Project School is to be used to construct a new school building since a fire destroyed the former school.

Browning School is to be used to complete the unfinished school building.

Brockton School is to be used to replace the fire system, remodel the building, or for the sewer exchange.

Conrad School is to be used to replace the boiler system in the school.

Montana Learning Center is to be used for upgrades and retrofitting the building.

Blue Creek School is to be used for construction."

- END -

Explanation - This amendment provides for a "quick start grant program for school facilities to make energy efficient improvements and appropriates up to \$35 million in state special revenues for the program. It also appropriates \$3.0 million to the Huntley Project school and \$0.5 million each to the Browning and Brockton schools. The amendment provides \$0.626 million in state special revenues to replace the Conrad boiler and \$0.1 million for upgrades at the Montana Learning Center. The amendment also provides \$1.24 for construction of the Blue Creek School and \$2.0 million for the Virtual High School.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Cynthia Hiner

For the House Appropriations Committee

Prepared by Matthew Stayner
March 24, 2009 (9:33am)

1. Page A-4.

Following: line 2

Insert: "c. Historic Preservation Competitive Grants 1,500,000
1,500,000" [general fund FY 10 and FY 11]

2. Page A-4.

Following: line 14

Insert: "The item for Historic Preservation Competitive Grants is for the awarding of grants to public or private entities for the preservation of historic sites within the state of Montana based on a competitive criteria created by the department, as guided by the legislature, that may include: (1)the degree of economic stimulus or economic activity including job creation and work creation for Montana contractors and service workers; (2)the timing of the project including the access to matching funds if needed and approval of permits so the work can be completed without delay; (3)the historic or heritage value related to the state of Montana; (4)the successful track record or experience of the organization directing the project; and (5) the expected ongoing economic benefit to the state as a result of the project completion."

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Teresa Henry

For the House Appropriations Committee

Prepared by Kris Wilkinson
March 23, 2009 (8:18am)

1. Page A-1, Line 16.

Strike: "21,500,000 [general fund FY10]"

Insert: "21,177,000 [general fund FY10]"

2. Page E-2.

Following: line 11

Insert: "MONTANA LIBRARY COMMISSION (5115)

1. Statewide Library Resources (01)

a. Expansion of Reading Services for the Blind
323,000 [general fund FY10]"

- END -

Explanation - This amendment provides \$176,000 in general fund in FY 2010 for the Montana radio reading service and \$147,000 in general fund in FY 2010 for NFB-newsline services to provide funds reading services for the blind. The funds will be used to provide live broadcasts of 9 daily and 20 weekly and biweekly Montana newspapers over closed-circuit radio and access to NFB-newsline services which allows audio access to 250 nationwide newspapers, 3 Montana daily newspapers, and several magazines from home or cell phone.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Ray Hawk

For the House Appropriations Committee

Prepared by Matthew Stayner
March 24, 2009 (9:56am)

1. Page 4.

Following: line 14

Insert: "The amount of \$50,000 of the line item for Historic Preservation Competitive Grants must be used for the restoration and preservation of the historic Daily mansion."

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Ray Hawk

For the House Appropriations Committee

Prepared by Matthew Stayner
March 24, 2009 (9:53am)

1. Page A-4.

Following: "14"

Insert: "The amount of \$40,000 of the line item for Historic Preservation Competitive Grants must be allocated to the historic st. Mary's mission maintenance and restoration project."

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Bill Nooney

For the House Appropriations Committee

Prepared by Matthew Stayner
March 24, 2009 (9:53am)

1. Page A-4.

Following: line 14

Insert: "The amount of \$180,000 of the line item for Historic Preservation Competitive Grants must be used for the restoration and preservation of the travelers' rest historic site."

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Dave Kasten

For the House Appropriations Committee

Prepared by Catherine Duncan
March 23, 2009 (10:01am)

1. Page F-1, line 5.

Strike: "7,734,914[FY 2010 Federal Special Revenue] "

Insert: "6,744,914[FY 2010 Federal Special Revenue] "

Strike: "7,734,914[FY 2011 Federal Special Revenue] "

Insert: "6,744,914[FY 2011 Federal Special Revenue] "

2. Page F-1, line 7.

Strike: "542,586[FY 2010 General Fund] "

Insert: "1,792,586[FY 2010 General Fund] "

Strike: "542,586[FY 2011 General Fund] "

Insert: "1,792,586[FY 2011 General Fund] "

3. Page F-1, line 9.

Strike: "7,094,000[FY 2010 Federal Special Revenue] "

Insert: "8,094,000[FY 2010 Federal Special Revenue] "

Strike: "7,094,000[FY 2011 Federal Special Revenue] "

Insert: "8,094,000[FY 2011 Federal Special Revenue] "

4. ~~Page F-1, line 15.~~

~~**Strike:** "3,000,000[FY 2010 Federal Special Revenue] "~~

~~**Insert:** "2,500,000[FY 2010 Federal Special Revenue] "~~

~~**Strike:** "3,000,000[FY 2011 Federal Special Revenue] "~~

~~**Insert:** "2,500,000[FY 2011 Federal Special Revenue] "~~

5. Page F-2, line 1.

Strike: "3,000,000[FY 2010 General Fund] "

Insert: "1,500,000[FY 2010 General Fund] "

Strike: "3,000,000[FY 2011 General Fund] "

Insert: "1,500,000[FY 2011 General Fund] "

6. Page F-2, line 2 through 3.

Strike: line 2 through line 3 in their entirety

Renumber: subsequent subsections

7. Page F-2, line 10.

Strike: "1,000,000[FY 2010 General Fund] "

Insert: "500,000[FY 2010 General Fund] "

Strike: "1,000,000[FY 2011 General Fund] "

Insert: "500,000[FY 2011 General Fund] "

8. Page F-2, line 11 through 12.

Strike: line 11 through line 12 in their entirety

Renumber: subsequent subsections

9. Page F-2, line 14.

Strike: "2,750,000[FY 2010 General Fund] "

Insert: "750,000[FY 2010 General Fund] "

Strike: "2,750,000[FY 2011 General Fund] "

Insert: "750,000[FY 2011 General Fund] "

10. Page F-2, line 16.

Strike: "3,433,100[FY 2010 General Fund] "

Insert: "1,750,000[FY 2010 General Fund] "

Strike: "3,433,100[FY 2011 General Fund] "

Insert: "1,750,000[FY 2011 General Fund] "

11. Page F-3, line 5.

Strike: "10,250,000[FY 2010 General Fund] "

Insert: "11,500,000[FY 2010 General Fund] "

Strike: "10,250,000[FY 2011 General Fund] "

Insert: "11,500,000[FY 2011 General Fund] "

12. Page F-3, line 13.

Strike: "1,750,000[FY 2010 General Fund] "

Insert: "2,074,398[FY 2010 General Fund] "

Strike: "1,750,000[FY 2011 General Fund] "

Insert: "2,074,398[FY 2011 General Fund] "

13. Page F-3, line 16.

Strike: "500,000[FY 2010 General Fund] "

Insert: "897,133[FY 2010 General Fund] "

Strike: "500,000[FY 2011 General Fund] "

Insert: "897,133[FY 2011 General Fund] "

- END -

This is an amendment which provides agreement with HBs 6 through 11.

1. Reduces the LRBP allocation of federal funds for changes made in HB 5. (Eliminates State Liquor Warehouse PII and reduces Energy Related DM decreases \$990,000/FY : \$1,980,000 total)

2. Increases the LRBP transfer from freed-up general fund for changes made in HB 5. (Ag Bioscience increases \$1.25m/FY : \$2.5m total)

3. Increases the LRBP Energy Transfer for changes made in HB 5. (GF COT increases \$1m/FY : \$2m total)

4. Reduces the LRBP allocation of federal funds for the changes made in HB 5. (Main Hall decreases \$500,000/FY : \$1m total)

5. Reduces the LRBP transfer of freed-up general fund for changes made in HB 5. (Access MT decreases \$1.5m/FY : \$3m total)

6. Reduces the LRBP transfer of freed-up general funds for the changes made in HB 5. (Ruby Dam decreases \$1m/FY : \$2m total)
7. Reduces the LRITP appropriation of freed-up general funds for the changes made in HB 10. (Interoperability Montana decreases \$500,000/FY : \$1m total)
8. Eliminates the LRITP appropriation of freed-up general funds for the changes made in HB 10. (Child Support Computer System)
9. Reduces the LRITP transfer of freed-up general fund for the changes made in HB 10. (SOS IT decreases \$2m/FY : \$4m total)
10. Reduces the LRITP transfer of freed-up general fund for the changes made in HB 10. (Eliminates DOR Imaging project)
11. Increases the TSEP transfer of freed-up general fund for the changes made in HB 11. (increases \$1.25m/FY : \$2.5m total)
12. Increases the RRGL transfer of freed-up general fund for the changes made in HB 6. (increases \$324,398/FY : \$648,796 total)
13. Increases the RDGP transfer of freed-up general fund for the changes made in HB 7. (increases \$379,133/FY : \$758,266 total)

Total changes related to this amendment:

General Fund available: \$3,711,569/FY \$7,423,138/total

Federal Funds not allocated: \$490,000/FY \$980,000/total

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Jon Sesso

For the House Appropriations Committee

Prepared by Greg Petesch
March 24, 2009 (1:17pm)

1. Page 27.

Following: line 21

Insert: "NEW SECTION. Section 21. Municipal projects -- allocation of funds. The appropriation in [section 40] for municipal projects must be allocated as provided in this section and must be used only for the indicated purpose. Municipal project funds must be allocated as follows:

Alberton \$13,397 street repairs and paving
Anaconda-Deer Lodge \$130,438 energy upgrades and renovation of city hall
Bainville \$11,259 Simard Park improvements -- sprinkler systems and sidewalks
Baker \$40,504 storm drain installation on South Montana 7 and Secondary 322
Bearcreek \$7,578 town hall renovation and repairs
Belgrade \$131,883 street intersection reconstruction and sidewalk extension
Belt \$16,384 replace concrete water storage tank
Big Sandy \$20,619 sewer main replacement and resurface Johannes Avenue
Big Timber \$41,057 Anderson Street asphalt overlay project
Billings \$1,676,045 reconstruction Alkali Creek Road
Boulder \$33,298 water system treatment project
Bozeman \$621,404 water system treatment project; water reclamation facility -- water treatment plant design; recreation facility improvements; sidewalks and restroom upgrades in parks
Bridger \$20,642 street and sidewalk repairs
Broadus \$16,072 addition to city hall for police department and sewer lagoon repairs
Broadview \$8,954 general repairs and maintenance
Brockton \$9,836 wastewater system repairs and street and alley repairs
Browning \$24,148 new fire hall
Butte-Silver Bow \$556,425 road repairs and maintenance
Cascade \$19,869 one block sewer main replacement
Chester \$22,690 chip seal town streets
Chinook \$31,885 city hall repair and improvements and paint armory building
Choteau \$44,091 city hall-fire station remodel and replace

unit heaters in Pavilion building

Circle \$19,420 purchase street patcher equipment and sewer treatment plant

Clyde Park \$12,832 construction of Lathrop Street

Colstrip \$47,276 Orchard lift station replacement

Columbia Falls \$90,832 street construction and improvements

Columbus \$44,373 replace curb, gutter, and sidewalk on Pike Avenue

Conrad \$54,770 replace hydrants and valves and overlay Dakota Street

Culbertson \$20,255 architecture design of new fire hall

Cut Bank \$62,063 final engineering and design work for Railroad Street

Darby \$20,008 water system improvement project

Deer Lodge \$70,086 phase 1 sewer rehabilitation collection system

Denton \$12,524 water-sewer upgrades, building repairs, and street repairs

Dillon \$78,244 Glendale street project

Dodson \$8,579 street repairs

Drummond \$11,830 street repairs and park maintenance

Dutton \$13,855 city park improvements

East Helena \$43,300 renovate city hall

Ekalaka \$15,477 bridge and street repair

Ennis \$24,703 town hall expansion and remodel project

Eureka \$24,803 repair main arterial road

Fairfield \$18,389 design and erect new fire hall, televise sewer lines, and replace hydrants

Fairview \$22,524 park bathrooms renovation

Flaxville \$7,652 water storage tank repairs

Forsyth \$45,126 water storage tank and water works repairs

Fort Benton \$39,975 chip seal city streets, U.S. highway 87 repairs, and airport runway improvements

Fort Peck \$13,156 replace aging fire hydrants

Froid \$11,174 water storage reservoir replacement

Fromberg \$14,368 street and sidewalk repairs

Geraldine \$12,701 main sewer line extension

Glasgow \$61,137 rehabilitate southside lift station

Glendive \$89,710 street reconstruction

Grass Range \$8,768 water, sewer, and street repairs

Great Falls \$975,637 West Bank street and right-of-way improvement and civic center roof repair

Hamilton \$86,900 Tenth street reconstruction

Hardin \$67,908 new fire hall

Harlem \$21,164 city hall renovation and weatherization and street maintenance

Harlowton \$25,565 replace sidewalks and install handicapped curbs

Havre \$165,970 new lift station and recoat concrete water tank

Helena \$504,707 Centennial Park trail system construction
 Hingham \$9,704 sewer project, street and sidewalk repairs,
 and fire hydrants
 Hobson \$11,506 extend water to boulevard on Main Street
 Hot Springs \$18,326 remodel fire hall and repair streets
 Hysham \$12,182 overlay town streets
 Ismay \$7,064 general repairs and maintenance
 Joliet \$16,083 sewer and water improvements
 Jordan \$14,548 improve existing streets
 Judith Gap \$9,295 Fourth Avenue street improvements
 Kalispell \$342,370 street projects
 Kevin \$10,823 drainage, culvert, and road repairs
 Laurel \$118,788 open ditch mitigation near middle school
 Lavina \$10,753 install new water system
 Lewistown \$117,648 chip seal streets
 Libby \$58,276 sewer main extension to Cabinet Heights
 Lima \$11,955 regravels streets and park shelter
 Livingston \$136,279 safety and building repairs to
 Sacajawea Park and repairs to sidewalks and streets
 Lodge Grass \$15,187 sewer lagoon
 Malta \$42,923 water and sewer line repairs and
 maintenance and street paving and repairs
 Manhattan \$36,536 sidewalk extensions, repairs, and
 maintenance
 Medicine Lake \$12,088 sewer lagoon maintenance, water
 tower, and waterworks repairs
 Melstone \$9,245 install fire hydrants; water and sewer
 installation to community center; and sidewalks, curbs, and
 gutters
 Miles City \$157,904 stormwater system sediment removal
 Missoula \$1,074,759 ADA sidewalk ramps and North Higgins
 streetscape
 Moore \$10,877 street repairs and capital improvements
 Nashua \$13,631 sewer and water main replacements
 Neihart \$7,739 streets and capital improvements
 Opheim \$9,207 water system and general repairs
 Outlook \$7,988 connect water system to new well
 Philipsburg \$26,234 replace water and sewer lines
 Pinesdale \$21,284 capital improvements and repairs
 Plains \$27,846 city hall renovations including ADA
 bathrooms and furnace and air conditioning
 Plentywood \$39,352 engineering study of wastewater
 treatment system, replace sidewalk at city hall and add gutter
 system, and chip seal streets
 Plevna \$9,154 culvert and drainage improvements and chip
 seal streets
 Polson \$94,816 Riverside water main replacement
 Poplar \$21,571 street repairs after water line
 installation
 Red Lodge \$53,688 roof repairs on city hall and police

station

Rexford \$7,854 community center siding and repairs
Richey \$10,567 road repairs and maintenance
Ronan \$41,463 repair and overlay Third Avenue Northwest
Roundup \$46,586 curbs, gutters, and sidewalks on Second

Avenue East

Ryegate \$12,138 city park improvements
Saco \$11,102 street repairs and maintenance
Saint Ignatius \$21,269 street paving and pedestrian path and
other park repairs

Scobey \$27,169 weatherize city hall
Shelby \$77,585 street repairs
Sheridan \$18,747 street repairs and maintenance
Sidney \$96,526 Twenty-Second Avenue Northwest

reconstruction

Stanford \$15,630 street intersection improvements and
replacements

Stevensville \$38,457 repair and replace roof on town hall
complex building

Sunburst \$16,673 resurface streets, ADA curbs and gutters,
and other street repair

Superior \$24,109 water construction phase II, street
repairs, and renovate park buildings

Terry \$23,571 park improvements

Thompson Falls \$34,730 street repairs and replace water
meters with radio read meters

Three Forks \$43,434 pave streets and equip parks and
recreation facilities

Townsend \$41,340 Broadway sidewalk replacement

Troy \$23,328 city hall restoration

Twin Bridges \$13,847 public walking path connecting parks

Valier \$21,037 install water tank, new water meters, and
install water lines and trunks

Virginia City \$11,859 remodel and relocate city hall

Walkerville \$23,093 street improvements

West Yellowstone \$31,130 wastewater improvements

Westby \$9,048 resurface streets

White Sulphur Springs \$29,462 patch and repair city
streets

Whitefish \$146,023 new emergency services building

Whitehall \$26,781 new ambulance building and wastewater
improvements

Wibaux \$17,644 remodel park bathroom as handicapped
accessible

Winifred \$9,708 drainage projects

Winnett \$11,507 street drainage improvements

Wolf Point \$52,535 gate valve and hydrant replacement"

Renumber: subsequent sections

2. Page 32, line 1.

Strike: "39"
Insert: "40"

3. Page 32, line 21.
Strike: "39"
Insert: "40"

4. Page 33, line 13.
Strike: "39"
Insert: "40"

5. Page 34, line 3.
Strike: "39"
Insert: "40"

6. Page 34, line 10.
Strike: "39"
Insert: "40"

7. Page 34, line 17.
Strike: "39"
Insert: "40"

- END -

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Bill McChesney

For the House Appropriations Committee

Prepared by Barbara Smith
March 24, 2009 (1:42pm)

1. Page C-4.

Following: line 4

Insert: "d. Flood Damage Mitigation Assistance Program
1,000,000 1,000,000" [general fund FY10 and FY11]

- END -

Explanation - This amendment adds \$1.0 million general fund each year of the biennium for a total of \$2.0 million to implement a flood damage mitigation assistance program in the Department of Natural Resources and Conservation.

Amendments to House Bill No. 645
1st Reading Copy

Requested by Representative Bill McChesney

For the House Appropriations Committee

Prepared by Matthew Stayner
March 24, 2009 (2:02pm)

1. Page A-3.

Following: line 8

Insert: "b. Montana Agro-Energy Industrial Park (Restricted)
200,000 200,000" [general fund FY 10 and FY 11]

2. Page A-4.

Following: line 7

Insert: "Montana Agro-Energy Industrial Park is restricted to
grant funding for the development of the Montana Agro-Energy
Industrial Park."

3. Page E-3, line 1.

Following: "Assistance"

Insert: "(Restricted/OTO)"

4. Page E-3, line 2.

Strike: "0 0" [general fund FY 10 and FY 11]

Insert: "700,000 700,000" [general fund FY 10 and FY 11]

5. Page E-4.

Following: line 5

Insert: "The amount of \$1,400,000 general fund over the biennium
for Community College Assistance will be divided equally
between Miles community college and Dawson community college.
for tuition stabilization and infrastructure, energy, and
weatherization projects."

6. Page F-3.

Strike: line 9 through line 10 in their entirety

7. Page F-4.

Strike: line 8

- END -

Explanation - Items 1 and 2 of this amendment create a restricted appropriation to the Department of Commerce of \$400,000 over the biennium to provide grant funding for the development of the Montana Agro-Energy Industrial Park. Items 3, 4, and 5 modify the appropriation for community college assistance, adding \$1,400,000 general fund over the biennium and restricting the distribution of those additional funds to an even split between Miles community college and Dawson community college. Items 6 and 7 remove the appropriation for the southwest Montana veterans home.



HOUSE STANDING COMMITTEE REPORT

March 25, 2009

Page 1 of 26

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 645** (first reading copy – white) **do pass as amended.**

Signed: _____

Jon C. Sesso
Representative Jon C. Sesso, Chair

And, that such amendments read:

1. Title, lines 12 and 13.

Following: "PURPOSES;" on line 12

Strike: remainder of line 12 through "REVENUE ACCOUNT;" on line 13

2. Title, line 15.

Following: "PROGRAM;"

Insert: "ESTABLISHING THE DISTRESSED WOOD PRODUCTS INDUSTRY RECOVERY PROGRAM; PROVIDING FOR A QUICK START ENERGY PROGRAM WITHIN THE DEPARTMENT OF COMMERCE FOR QUICK START ENERGY EFFICIENCY IMPROVEMENTS FOR SCHOOL FACILITIES; REVISING THE PRIORITIES FOR FUNDING UNDER THE BIG SKY ECONOMIC DEVELOPMENT PROGRAM;"

Following: "17-7-402,"

Insert: "17-7-502,"

3. Title, line 16.

Strike: "53-4-1115,"

Following: "75-25-101,"

Strike: "AND"

Following: "75-25-102,"

Insert: "AND 90-1-204,"

4. Page 4, line 5.

Strike: "\$10,895,844"

Committee Vote:

Yes 18, No 2

Fiscal Note Required ☐

Insert: "\$16,232,795"

5. Page 4, line 6.

Strike: "\$11,018,627"

Insert: "\$18,505,269"

6. Page 4, line 7.

Strike: "\$16,213,433"

Insert: "\$19,818,193"

7. Page 6, lines 14 and 15.

Following: "includes" on line 14

Strike: remainder of line 14 through "funds" on line 15

Insert: "items specified in [section 51]"

8. Page 7, line 6.

Strike: "(a)"

9. Page 7, line 8.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

10. Page 7, line 10.

Strike: "and"

11. Page 7, line 11.

Following: "appropriations"

Insert: "; and

(e) items specified in [section 51]"

12. Page 7, line 12.

Strike: subsection (b) in its entirety

13. Page 11, line 2.

Strike: "[LC2314,"

Following: "No."

Insert: "645"

Strike: ", 2009]"

14. Page 11, line 19.

Insert: "Section 7. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following

provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; section 23; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; and pursuant to sec. 6, Ch. 2, Sp. L. September 2007, the inclusion of 76-13-150 terminates June 30, 2009.)"

Renumber: subsequent sections

15. Page 17, line 7.

Strike: "1988"

Insert: "1998"

16. Page 18, line 21 through page 19, line 14.

Strike: section 12 in its entirety

Renumber: subsequent sections

17. Page 20.

Following: line 1

Insert: "NEW SECTION. Section 14. Medicaid reserve account.

There is a medicaid reserve account in the state special revenue fund provided for in 17-2-102. Money in the account must be used by the department for medicaid benefits after June 30, 2011. Any interest or income earned on the account must be deposited in the account. Each calendar quarter through December 31, 2010, the amount recovered under the federal medical assistance percentage hold harmless provision of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, must be transferred to the medicaid reserve account."

Renumber: subsequent sections

18. Page 27, line 1.

Strike: "Reinvestment and Recovery"

Insert: "Recovery and Reinvestment"

19. Page 27.

Following: line 21

Insert: "Section 22. Section 90-1-204, MCA, is amended to read:

"90-1-204. Priorities for funding -- rulemaking. (1) The department must receive proposals for grants and loans from local governments. A local government shall work with an economic development organization on a proposal. The department shall work with the local government and the economic development organization in preparing cost estimates for a proposed project. In reviewing proposals, the department may consult with other state agencies with expertise pertinent to the proposal.

(2) (a) The department shall adopt rules necessary to implement the big sky economic development program. In adopting rules, the department shall look to the rules adopted for the treasure state endowment program and other similar state programs. To the extent feasible, the department shall make the rules compatible with those other programs. To the extent feasible, the department shall employ an approach pertaining to the use of funds so that, except as provided in subsection (2)(b), the needs of rural areas are balanced with the needs of the state's urban centers.

(b) For high-poverty counties, the department shall employ an approach pertaining to the use of funds that is intended to lower poverty levels in the county to a percentage at which the county no longer is defined as a high-poverty county.

(c) The rules must provide for the types of uses of funds available under the big sky economic development program. The

types of uses of funds by:

(i) local governments include but are not limited to:

(A) a reduction in the interest rate of a commercial loan for the expansion of a basic sector company;

(B) a grant or low-interest loan for relocation expenses for a basic sector company; and

(C) rental assistance or lease buy-downs for a relocation or expansion project for a basic sector company;

(ii) a certified regional development corporation include:

(A) support for business improvement districts and central business district redevelopment;

(B) industrial development;

(C) feasibility studies;

(D) creation and maintenance of baseline community profiles; and

(E) matching funds for federal funds, including but not limited to brownfields funds and natural resource damage funds.

(d) (i) The rules must provide for distribution methods for financial assistance available to local governments. The Except for local government projects specifically authorized in [House Bill No. 645], the rules must provide for distribution based upon the number of jobs expected to be created because of the funding.

(ii) Funding Except for local government projects specifically authorized in [House Bill No. 645], funding may not exceed \$5,000 for each expected job, except that funding for a project in a high-poverty county may not exceed \$7,500 for each expected job.

(iii) The Except for local government projects specifically authorized in [House Bill No. 645], the rules must require equal matching funds for a grant or loan, except that the rules for a grant or a loan in a high-poverty county may allow a 50% to 100% match requirement for the high-poverty county.

(e) The Except for local government projects specifically authorized in [House Bill No. 645], the rules may provide for greater incentives for a high-poverty county.

(f) The Except for local government projects specifically authorized in [House Bill No. 645], the rules must provide for the full or partial repayment of a grant if the new jobs or some of the new jobs for which a grant is given are not created.

(g) A Except for local government projects specifically authorized in [House Bill No. 645], a grant or loan may be made only for a new job that has an average weekly wage that meets or exceeds the current average weekly wage of the county in which the employees are to be principally employed."

Insert: "NEW SECTION. Section 23. Earnings -- statutory appropriation. If the federal government directs that funds received under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, must be invested and that the earnings must be expended for the same purpose as the funds generating the earnings, then the earnings are statutorily appropriated, as provided in 17-7-502, for the same purpose as the funds

generating the earnings."

Insert: "NEW SECTION. Section 24. Dissemination of information -- reporting and accountability. The office of the governor shall develop and maintain a website to serve as the official website for the state of Montana for implementing the reporting and accountability requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5. The office shall develop requirements for reporting and posting information to the website, and these requirements are applicable to any recipient of funds from an appropriation in House Bill No. 645."

Insert: "NEW SECTION. Section 25. Distressed wood products industry recovery program -- findings -- loans and grants -- rulemaking. (1) Due to the current, well-documented decline in the wood products industry in Montana, the legislature finds that there is a need to assist the Montana wood products industry as a whole through a multifaceted and integrally related grant and loan program.

(2) Businesses that may be eligible under the program for loans, grants, or loans and grants include but are not limited to sawmills, plywood plants, paper and linerboard manufacturers, bark and byproducts-related businesses, round wood producers, wood chip processors, loggers, log haulers, biochar and biomass producers, and other innovative manufacturers and processors of wood products.

(3) (a) The department of commerce shall use money appropriated for the distressed wood products industry to implement the program.

(b) Money appropriated to the department of commerce may be used by the department to, among other things:

(i) provide state matching funds to federal agencies to create loan or grant programs that will benefit the types of businesses listed in subsection (2), including the commingling of appropriated funds with federal funds as needed to meet federal regulations and grant requirements; and

(ii) provide loans, grants, or both loans and grants to the types of businesses listed in subsection (2).

(c) Repayments of loans to the department of commerce may be used by the department as revolving loan funds for primary sector business throughout the state.

(4) The department of commerce may adopt rules necessary to implement the program. Rules adopted by the department must be based upon similar finance programs administered by the department and must include:

(a) sufficient business plan and financial information to allow a reasonable determination regarding the potential feasibility of the business to create and retain jobs and, in the case of loans, to make repayments to the department;

(b) annual information from each assisted business for the term of the grant or loan agreement regarding jobs created and retained, pay levels, financial status, and reports on overall

project activities; and

(c) loan and grant amounts for each job, funding limits, and matching fund requirements."

Insert: "NEW SECTION. Section 26. Rulemaking. The department of commerce may adopt rules to implement the worker training program and the broadband matching grant program funded in [House Bill No. 645]."

Insert: "NEW SECTION. Section 27. County projects -- allocation of funds. The appropriation in [section 51] for county projects must be allocated as provided in this section and must be used only for the indicated purpose. County project funds must be allocated as follows:

Beaverhead	\$199,902	county courthouse repair
Big Horn	\$195,663	Little Horn road reconstruction
Blaine	\$187,422	county building improvements
Broadwater	\$138,301	county road chip seal
Carbon	\$157,060	West Fork road expansion
Carter	\$144,862	gravel crushing
Cascade	\$247,092	county building energy performance
contract		
Chouteau	\$194,862	county road repair and reconstruction
Custer	\$157,596	county road and buildings: Silo Loop road
\$42,596; Pine Hills improvement \$85,000; county building repair		
and remodel \$30,000		
Daniels	\$134,923	county road gravel screening/crushing
Dawson	\$161,231	county building
repair/remodel/construction		
Deer Lodge	\$128,973	energy upgrades and renovation of city
hall		
Fallon	\$135,369	county road and parks shop building
Fergus	\$191,553	Scott Crossing bridge replacement
Flathead	\$429,261	Mennonite Church and Creston roads
construction		
Gallatin	\$302,907	fairgrounds restroom construction and
replacement		
Garfield	\$159,808	county building heating/cooling system
replacement		
Glacier	\$180,677	Glacier County jail/detention center
Golden Valley	\$123,455	fire hall and roads: Golden
Valley/Ryegate fire hall \$103,455; Golden Valley roads \$20,000		
Granite	\$139,211	Metesch Lane bridge replacement
Hill	\$195,921	Sheppard and Bulhook roads pavement overlay
Jefferson	\$169,757	Boulder south campus sewer replacement
Judith Basin	\$143,967	replace Arrow Creek and Judith River
bridge: Arrow Creek bridge \$70,046; Judith River bridge \$73,921		
Lake	\$226,694	South Valley Creek bridge replacement
\$160,000; Skyline bridge repair \$40,000; courthouse		
weatherization \$26,694		
Lewis and Clark	\$282,922	Lewis and Clark County
fairgrounds plaza		
Liberty	\$139,405	Liberty senior center

Lincoln \$252,108 Tobacco Valley industrial park infrastructure improvements

Madison \$179,577 Madison County office renovation \$101,577; Madison County bridge improvement projects \$78,000

McCone \$148,210 geothermal heat loop courthouse retrofit

Meagher \$134,964 county building energy efficiency and handicap accessibility updates

Mineral \$144,010 Mineral County jail and courthouse restoration and repair

Missoula \$319,667 Big Flat road reconstruction

Musselshell \$139,793 Goffena bridge replacement

Park \$178,841 9th Street bridge replacement

Petroleum \$125,061 courthouse windows, Dovetail Creek crossing, and Petroleum County road upgrade: energy efficient courthouse windows retrofit \$5,000; Dovetail Creek crossing \$5,000; Petroleum County road upgrade \$75,061

Phillips \$180,968 courthouse parking lot and sidewalk projects

Pondera \$149,520 Pondera County community and senior center remodel

Powder River \$147,735 county road reconstruction and gravel

Powell \$148,555 energy efficient windows and boiler for county courthouse

Prairie \$129,674 county fairgrounds grandstand replacement \$80,000; Terry park facilities renovation \$49,674

Ravalli \$297,867 Ambrose Creek road pavement preservation

Richland \$162,551 Spring Lake road reconstruction

Roosevelt \$172,632 energy efficient courthouse windows project

Rosebud \$183,085 Ingomar water and sewer project \$83,085; Forsyth library elevator project \$100,000

Sanders \$185,012 high bridge reconstruction

Sheridan \$152,144 county road gravel and engineering: county road gravel crushing \$137,144; Plentywood bypass route \$15,000

Silver Bow \$127,965 county road repair and maintenance

Stillwater \$167,535 county courthouse and bridge: Stillwater County courthouse repair and renovation \$77,279; Stillwater County bridge \$90,256

Sweet Grass \$135,147 Pioneer medical center renovation

Teton \$168,135 county nursing home and county road gravel: county nursing home renovation \$130,000; county road gravel \$38,135

Toole \$148,528 energy efficient lighting for Toole County hospital

Treasure \$115,141 county building renovations: community center \$20,100; community center \$74,861; courthouse ADA upgrade \$20,180

Valley \$203,624 Valley County detention center addition

Wheatland \$124,649 county road shop and Harlowtown fire

hall: county road shop \$83,099; Harlowtown fire hall \$41,550

Wibaux \$119,948 county fairgrounds exhibit building

Yellowstone \$288,560 Clapper Flat and Vandaveer roads and courthouse remodel: Clapper Flat road \$100,000; Vandaveer road \$100,000; courthouse remodel \$88,560"

Insert: "NEW SECTION. Section 28. Municipal projects -- allocation of funds. The appropriation in [section 51] for municipal projects must be allocated as provided in this section and must be used only for the indicated purpose. Municipal project funds must be allocated as follows:

Alberton \$13,397 street repairs and paving

Anaconda-Deer Lodge \$130,438 energy upgrades and renovation of city hall

Bainville \$11,259 Simard Park improvements -- sprinkler systems and sidewalks

Baker \$40,504 storm drain installation on South Montana 7 and Secondary 322

Bearcreek \$7,578 town hall renovation and repairs

Belgrade \$131,883 street intersection reconstruction and sidewalk extension

Belt \$16,384 replace concrete water storage tank

Big Sandy \$20,619 sewer main replacement and resurface Johannes Avenue

Big Timber \$41,057 Anderson Street asphalt overlay project

Billings \$1,676,045 reconstruction Alkali Creek Road

Boulder \$33,298 water system treatment project

Bozeman \$621,404 water system treatment project; water reclamation facility -- water treatment plant design; recreation facility improvements; sidewalks and restroom upgrades in parks

Bridger \$20,642 street and sidewalk repairs

Broadus \$16,072 addition to city hall for police department and sewer lagoon repairs

Broadview \$8,954 general repairs and maintenance

Brockton \$9,836 wastewater system repairs and street and alley repairs

Browning \$24,148 new fire hall

Butte-Silver Bow \$556,425 road repairs and maintenance

Cascade \$19,869 one block sewer main replacement

Chester \$22,690 chip seal town streets

Chinook \$31,885 city hall repair and improvements and paint armory building

Choteau \$44,091 city hall-fire station remodel and replace unit heaters in Pavilion building

Circle \$19,420 purchase street patcher equipment and sewer treatment plant

Clyde Park \$12,832 construction of Lathrop Street

Colstrip \$47,276 Orchard lift station replacement

Columbia Falls \$90,832 street construction and improvements

Columbus \$44,373 replace curb, gutter, and sidewalk on Pike Avenue

Conrad \$54,770 replace hydrants and valves and overlay
 Dakota Street
 Culbertson \$20,255 architecture design of new fire hall
 Cut Bank \$62,063 final engineering and design work for
 Railroad Street
 Darby \$20,008 water system improvement project
 Deer Lodge \$70,086 phase 1 sewer rehabilitation
 collection system
 Denton \$12,524 water-sewer upgrades, building repairs,
 and street repairs
 Dillon \$78,244 Glendale street project
 Dodson \$8,579 street repairs
 Drummond \$11,830 street repairs and park maintenance
 Dutton \$13,855 city park improvements
 East Helena \$43,300 renovate city hall
 Ekalaka \$15,477 bridge and street repair
 Ennis \$24,703 town hall expansion and remodel project
 Eureka \$24,803 repair main arterial road
 Fairfield \$18,389 design and erect new fire hall, televise
 sewer lines, and replace hydrants
 Fairview \$22,524 park bathrooms renovation
 Flaxville \$7,652 water storage tank repairs
 Forsyth \$45,126 water storage tank and water works repairs
 Fort Benton \$39,975 chip seal city streets, U.S. highway
 87 repairs, and airport runway improvements
 Fort Peck \$13,156 replace aging fire hydrants
 Froid \$11,174 water storage reservoir replacement
 Fromberg \$14,368 street and sidewalk repairs
 Geraldine \$12,701 main sewer line extension
 Glasgow \$61,137 rehabilitate southside lift station
 Glendive \$89,710 street reconstruction
 Grass Range \$8,768 water, sewer, and street repairs
 Great Falls \$975,637 West Bank street and right-of-way
 improvement and civic center roof repair
 Hamilton \$86,900 Tenth street reconstruction
 Hardin \$67,908 new fire hall
 Harlem \$21,164 city hall renovation and weatherization
 and street maintenance
 Harlowton \$25,565 replace sidewalks and install handicapped
 curbs
 Havre \$165,970 new lift station and recoat concrete
 water tank
 Helena \$504,707 Centennial Park trail system construction
 Hingham \$9,704 sewer project, street and sidewalk repairs,
 and fire hydrants
 Hobson \$11,506 extend water to boulevard on Main Street
 Hot Springs \$18,326 remodel fire hall and repair streets
 Hysham \$12,182 overlay town streets
 Ismay \$7,064 general repairs and maintenance
 Joliet \$16,083 sewer and water improvements
 Jordan \$14,548 improve existing streets

Judith Gap \$9,295 Fourth Avenue street improvements
 Kalispell \$342,370 street projects
 Kevin \$10,823 drainage, culvert, and road repairs
 Laurel \$118,788 open ditch mitigation near middle school
 Lavina \$10,753 install new water system
 Lewistown \$117,648 chip seal streets
 Libby \$58,276 sewer main extension to Cabinet Heights
 Lima \$11,955 regravels streets and park shelter
 Livingston \$136,279 safety and building repairs to
 Sacajawea Park and repairs to sidewalks and streets
 Lodge Grass \$15,187 sewer lagoon
 Malta \$42,923 water and sewer line repairs and
 maintenance and street paving and repairs
 Manhattan \$36,536 sidewalk extensions, repairs, and
 maintenance
 Medicine Lake \$12,088 sewer lagoon maintenance, water
 tower, and waterworks repairs
 Melstone \$9,245 install fire hydrants; water and sewer
 installation to community center; and sidewalks, curbs, and
 gutters
 Miles City \$157,904 stormwater system sediment removal
 Missoula \$1,074,759 ADA sidewalk ramps and North Higgins
 streetscape
 Moore \$10,877 street repairs and capital improvements
 Nashua \$13,631 sewer and water main replacements
 Neihart \$7,739 streets and capital improvements
 Opheim \$9,207 water system and general repairs
 Outlook \$7,988 connect water system to new well
 Philipsburg \$26,234 replace water and sewer lines
 Pinesdale \$21,284 capital improvements and repairs
 Plains \$27,846 city hall renovations including ADA
 bathrooms and furnace and air conditioning
 Plentywood \$39,352 engineering study of wastewater
 treatment system, replace sidewalk at city hall and add gutter
 system, and chip seal streets
 Plevna \$9,154 culvert and drainage improvements and chip
 seal streets
 Polson \$94,816 Riverside water main replacement
 Poplar \$21,571 street repairs after water line
 installation
 Red Lodge \$53,688 roof repairs on city hall and police
 station
 Rexford \$7,854 community center siding and repairs
 Richey \$10,567 road repairs and maintenance
 Ronan \$41,463 repair and overlay Third Avenue Northwest
 Roundup \$46,586 curbs, gutters, and sidewalks on Second
 Avenue East
 Ryegate \$12,138 city park improvements
 Saco \$11,102 street repairs and maintenance
 Saint Ignatius \$21,269 street paving and pedestrian path and
 other park repairs

Scobey \$27,169 weatherize city hall
 Shelby \$77,585 street repairs
 Sheridan \$18,747 street repairs and maintenance
 Sidney \$96,526 Twenty-Second Avenue Northwest
 reconstruction
 Stanford \$15,630 street intersection improvements and
 replacements
 Stevensville \$38,457 repair and replace roof on town hall
 complex building
 Sunburst \$16,673 resurface streets, ADA curbs and gutters,
 and other street repair
 Superior \$24,109 water construction phase II, street
 repairs, and renovate park buildings
 Terry \$23,571 park improvements
 Thompson Falls \$34,730 street repairs and replace water
 meters with radio read meters
 Three Forks \$43,434 pave streets and equip parks and
 recreation facilities
 Townsend \$41,340 Broadway sidewalk replacement
 Troy \$23,328 city hall restoration
 Twin Bridges \$13,847 public walking path connecting parks
 Valier \$21,037 install water tank, new water meters, and
 install water lines and trunks
 Virginia City \$11,859 remodel and relocate city hall
 Walkerville \$23,093 street improvements
 West Yellowstone \$31,130 wastewater improvements
 Westby \$9,048 resurface streets
 White Sulphur Springs \$29,462 patch and repair city
 streets
 Whitefish \$146,023 new emergency services building
 Whitehall \$26,781 new ambulance building and wastewater
 improvements
 Wibaux \$17,644 remodel park bathroom as handicapped
 accessible
 Winifred \$9,708 drainage projects
 Winnett \$11,507 street drainage improvements
 Wolf Point \$52,535 gate valve and hydrant replacement"

Insert: "NEW SECTION. Section 29. Quick start energy grants.

(1) There is a quick start energy program within the department of commerce for quick start energy efficiency improvement grants to public school districts for projects that provide long-term, cost-effective benefits to school facilities.

(2) A public school district may submit an application to the department of commerce for quick start energy efficiency improvement grant funding for:

(a) an energy audit or evaluation of the potential for energy savings in a school facility by a prequalified energy auditor; or

(b) energy efficiency improvements that are based on an energy audit or evaluation and that are expected to achieve measurable energy efficiency to a school facility and cost

savings to the public school district.

(3) In awarding grants under this section, the department of commerce shall consider the potential for energy savings in a public school facility based on the age, energy use, function, and condition of the building.

(4) The department of commerce may consult with the department of environmental quality and the architecture and engineering division of the department of administration in the review and evaluation of quick start grant applications.

(5) Of the line item appropriation for the School Facilities Program Administration and Grants found in [section 51], up to \$35 million may be used, at the discretion of the department of commerce, to award grants under the quick start energy program. The department of commerce shall distribute quick start funds on a reimbursement basis from May 15, 2009, until September 30, 2009. Any quick start funds not obligated under this section for reimbursement to a public school district by September 30, 2009, must be used as provided in [section 51] for the School Facilities Program Administration and Grants line item appropriation.

(6) The department of commerce shall collect information regarding the cost savings to public school districts that make energy efficiency improvements based on grant funding received under subsection (2)(b).

(7) The department of commerce shall consult with the office of public instruction on the disbursement of quick start grants and shall make every attempt to accommodate large schools, small schools, urban schools, and rural schools.

(8) Quick start grants made under this program are subject to review by the legislative finance committee."

Renumber: subsequent sections

20. Page 29.

Following: line 5

Insert: "NEW SECTION. **Section 37. Appropriation.** The amount of \$4 million from general fund appropriations in section 9-B, items 9, 10, 11, and 12, of Chapter 5, Special Laws of May 2007, in excess of \$13 million of general fund appropriations that would otherwise revert on June 30, 2009, is appropriated in the 2011 biennium for Provider Rate Increase.

(2) Any funds remaining in section 9-B, item 12j, Chapter 5, Special Laws of May 2007, on June 30, 2009, that would otherwise revert are appropriated in the 2011 biennium for Mental Health Crisis Diversion Pilot Program."

Renumber: subsequent sections

21. Page 29, line 20.

Strike: "81,719,465"

Insert: "85,719,465"

Strike: "469,113,370"

Insert: "473,113,370"

22. Page 31, line 1.

Strike: "distribution"

Insert: "reduction"

Following: "funds"

Insert: "in the Health Resources Division"

23. Page 31, line 15 through line 16.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

24. Page 31, line 17 through line 19.

Strike: ":" on line 17 through "(ii)" on line 19

25. Page 32, line 1.

Strike: "39"

Insert: "51"

26. Page 32, line 3.

Strike: "(4)"

Insert: "(3)"

27. Page 32, line 5.

Strike: "administration fund"

Insert: "conservation repayment account"

28. Page 32, line 7.

Following: "conservation"

Insert: "capital"

Following: "year"

Insert: "and if the total allocations of the federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, to the department of environmental quality in [House Bill No. 5] is in the amount of \$20 million or greater"

29. Page 32, line 9.

Strike: "\$6"

Insert: "\$3"

30. Page 32, line 11 through 14.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

31. Page 32, line 15.

Strike: "(4)"

Insert: "(3)"

32. Page 32, line 18.

Strike: "or (3)"

33. Page 32, line 19.

Strike: "through (3)"

Insert: "and (2)"

34. Page 32, line 20.

Strike: "through (3)"

Insert: "and (2)"

35. Page 32, line 21.

Strike: "39"

Insert: "51"

36. Page 33, line 2.

Strike: "(2)"

Insert: "(3)"

37. Page 33, line 5.

Strike: "\$2"

Insert: "\$1"

38. Page 33, line 8 through 10.

Strike: ";" on line 8 through "void" on line 10.

39. Page 33, line 11.

Following: line 10

Insert: " (2) Subject to subsection (3), if House Bill No. 10 is passed and approved and if [this act] does not contain a transfer of general fund of \$1.5 million for the secretary of state for the SOS information management system, then the appropriation for that purpose in House Bill No. 10 is void."

Renumber: subsequent sections

40. Page 33, line 11.

Strike: "subsection (1)"

Insert: "subsections (1) and (2)"

Strike: the second "subsection"

41. Page 33, line 12.

Strike: "(1)"

Insert: "subsections (1) and (2)"

42. Page 33, line 13.

Strike: "subsection (1)"

Insert: "subsections (1) and (2)"

Strike: "39"

Insert: "51"

43. Page 34, line 3.

Strike: "39"

Insert: "51"

44. Page 34, line 10.

Strike: "39"

Insert: "51"

45. Page 34, line 17.

Strike: "39"

Insert: "51"

46. Page 34, line 19.

Following: "instruction."

Insert: "(1)"

Strike: "9"

Insert: "10"

Strike: "10"

Insert: "11"

47. Page 34, line 20.

Strike: "9"

Insert: "10"

Strike: "10"

Insert: "11"

48. Page 34, line 21.

Insert: "(2) [Section 14] is intended to be codified as an integral part of Title 53, chapter 6, part 1, and the provisions of Title 53, chapter 6, part 1, apply to [section 14].

(3) [Section 23] is intended to be codified as an integral part of Title 17, chapter 3, part 1, and the provisions of Title 17, chapter 3, part 1, apply to [section 23].

(4) [Sections 25 and 26] are intended to be codified as an integral part of Title 90, chapter 1, part 1, and the provisions of Title 90, chapter 1, part 1, apply to [sections 25 and 26]."

Insert: "NEW SECTION. Section 46. Contingent voidness. (1) If the federal government refuses to participate in or denies approval of any state plan amendment related to [section 2] for medicaid payments to hospitals, then [section 2] is void.

(2) The department of public health and human services shall notify the code commissioner of the occurrence of any determination made pursuant to subsection (1) and the date of the occurrence."

Renumber: subsequent sections

49. Page 35, line 3.

Strike: "[Section 15] applies"

Insert: "[Sections 16 and 18] apply"

50. Page 35, line 5.

Strike: "7 and 11 through 20"

Insert: "6, 8, 12, 13, 15 through 22, and 27 through 29"

51. Page 35, line 6.

Insert: "NEW SECTION. Section 50. Appropriation control. An appropriation item in [section 51] that is designated "Restricted" may be used during the biennium only for the purpose designated by its title and as presented to the legislature."

Renumber: subsequent section

52. Page A-1.

Strike: line 14 through line 16

Renumber: subsequent subsections

53. Page A-3.

Following: line 2

Insert: "f. Indian Country Economic Development 1,500,000
1,500,000" [general fund FY 10 and FY 11]

54. Page A-3.

Following: line 5

Insert: "b. Biomass Energy Study 500,000" [general fund FY10]

55. Page A-3.

Following: line 8

Insert: "b. County Projects 5,000,000 5,000,000" [general fund
FY 10 and FY 11]

"c. Municipal Projects 5,000,000 5,000,000" [general fund FY 10
and FY 11]

"d. Montana Agro-Energy Industrial Park (Restricted) 200,000
200,000" [general fund FY 10 and FY 11]

56. Page A-4, line 2.

Strike: "21,502,800 [state special revenue FY10]"

Insert: "13,536,800 [state special revenue FY10]"

Following: line 2

Insert: "c. Historic Preservation Competitive Grants 1,500,000

1,500,000" [general fund FY 10 and FY 11]
d. Huntley Project School
3,000,000 [state special revenue FY10]
e. Browning School
500,000 [state special revenue FY10]
f. Brockton School
500,000 [state special revenue FY10]
g. Conrad School
626,000 [state special revenue FY10]
h. Montana Learning Center
100,000 [state special revenue FY10]
i. Blue Creek School
1,240,000 [state special revenue FY10]
j. Virtual High School
2,000,000 [state special revenue FY10]"

57. Page A-4, line 7.

Following: "economy."

Insert: "The line item for Worker Training is intended to be implemented using a framework similar to that established under the Primary Sector Business Workforce Training Act, provided for in Title 39, chapter 11, except that the Worker Training appropriation line item is to be used to train and educate both new and existing employees."

Montana Agro-Energy Industrial Park is restricted to grant funding for the development of the Montana Agro-Energy Industrial Park."

58. Page A-4.

Following: line 14

Insert: "The item for Historic Preservation Competitive Grants is for the awarding of grants to public or private entities for the preservation of historic sites within the state of Montana based on a competitive criteria created by the department, as guided by the legislature, that may include:

(1) the degree of economic stimulus or economic activity, including job creation and work creation for Montana contractors and service workers;

(2) the timing of the project, including the access to matching funds if needed and approval of permits so the work can be completed without delay;

(3) the historic or heritage value related to the state of Montana;

(4) the successful track record or experience of the organization directing the project; and

(5) the expected ongoing economic benefit to the state as a result of the project completion.

The amount of \$50,000 of the line item for Historic

Preservation Competitive Grants must be used for the restoration and preservation of the historic Daly mansion.

The amount of \$40,000 of the line item for Historic Preservation Competitive Grants must be allocated to the historic St. Mary's mission maintenance and restoration project.

The amount of \$180,000 of the line item for Historic Preservation Competitive Grants must be used for the restoration and preservation of the travelers' rest historic site.

Huntley Project School is to be used to construct a new school building since a fire destroyed the former school.

Browning School is to be used to complete the unfinished school building.

Brockton School is to be used to replace the fire system, remodel the building, or for the sewer exchange.

Conrad School is to be used to replace the boiler system in the school.

Montana Learning Center is to be used for upgrades and retrofitting the building.

Blue Creek School is to be used for construction."

59. Page B-3, following line 3.

Insert: "q. Food for Food Banks (Restricted)

250,000 250,000" [general fund FY10 and FY11]

"r. Homeless Prevention/Emergency Food & Shelter -- General Fund (Restricted)

750,000 750,000" [general fund FY10 and FY11]

60. Page B-3, following line 6.

Insert: "b. Provider Rate Increase (Restricted)

2,000,000 2,000,000" [general fund FY10 and FY11]

"8,527 7,980 [state special revenue FY10 and FY11]

"3,588,062 3,118,487" [federal special revenue FY10 and FY11]

61. Page B-4, line 10.

Strike: "1,315,737 1,000,000" [federal special revenue FY10 and FY11]

Insert: "1,265,733 949,981" [federal special revenue FY10 and FY11]

62. Page B-4, following line 10.

Insert: "c. Transitions Coordinator (Restricted)

50,004 50,019" [federal special revenue FY10 and FY11]

63. Page B-4, line 13.

Strike: "53,000,000"

Insert: "54,000,000"

64. Page B-4, line 15.

Strike: "75,000,000"

Insert: "78,000,000"

Strike: "27,000,000"

Insert: "31,000,000"

65. Page B-5, following line 1.

Insert: "d. Sustain System of Care and Kids Management
Authorities (Restricted)

333,500 333,500" [general fund FY10 and FY11]

"e. Indian Property Exclusion in Medicaid Determination

231,764 310,188" [general fund FY10 and FY11]

"751,536 732,110" [federal special revenue FY10 and FY11]

"f. Transitional Medicaid

196,432 248,020 [general fund FY10 and FY11]

636,968 585,380 [federal fund FY10 and FY11]"

66. Page B-5, following line 4.

Insert: "b. Nonmedicaid Community Aging Services (Restricted)

1,500,000 1,500,000" [general fund FY10 and FY11]

"9. Addictive and Mental Disorders Division (33)

a. Mental Health Crisis Diversion Pilot Program
(Restricted)

2,000,000 2,000,000" [general fund FY10 and FY11]

67. Page B-5, lines 8 and 9.

Strike: lines 8 and 9 in their entirety

68. Page B-5, following line 10.

Insert: "The lesser of \$668,397 or actual total fiscal year 2010
expenditures from Human and Community Services Division,
Child Care Development Block Grant -- FY 2010-11 may be
included in the base budget for the purposes of 17-7-111 for
the 2013 biennium budget in accordance with [section 5].
These expenditures may be funded with general fund in the
present law base for the 2013 biennium executive budget in
accordance with [section 5].

Homeless Prevention/Emergency Food & Shelter -- General Fund may be used by the Human and Community Services Division only to allow human resource development councils to assist shelters throughout the state in the four components identified for shelters in the federal grant: (1) essential services to homeless families; (2) one-time payments for homeless prevention services; (3) maintenance funding in support of existing emergency shelters and domestic violence facilities that provide shelter, food, and individual support services; and (4) rehabilitation or conversion of buildings for homeless shelters.

Provider Rate Increase may be used only to fund a provider rate increase. Funds may be allocated among programs."

69. Page B-5, following line 11.

Insert: "Total fiscal year 2010 expenditures from CSED --

Temporarily Restore Federal Matching Funds -- FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 5]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 5].

Funding for Transitions Coordinator may only be expended by the Disability Services Division for a transitions coordinator."

70. Page B-5, line 11.

Strike: line 11 in its entirety

71. Page B-5, line 12.

Strike: "\$75"

Insert: "\$71"

Strike: "\$27"

Insert: "\$26"

72. Page B-5, line 13.

Following: "medicaid"

Insert: "and Title IV-E funding"

73. Page B-5.

Following: line 13

Insert: "Total fiscal year 2010 expenditures from FMAP -- FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 5]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 5].

The total collections of enhanced FMAP include \$146 million that reduces state general fund expenditures, \$14 million of additional general fund revenue from institutional reimbursements and the hospital utilization fee, and \$3 million of additional federal expenditures for schools which does not impact general fund.

Medicaid Caseload is restricted to transfers to a state special revenue account of funds eligible for reserve under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Title V, section 5001.

Medicaid Caseload -- FY2010-11 may be used only to pay medicaid benefits above the level appropriated in House Bill No. 2 excluding the healthy Montana kids program.

Up to \$1 million of general fund and \$1 million of federal funds may be used for administration directly attributable to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, or to medicaid benefits.

Mental Health Crisis Diversion Pilot Program is contingent upon passage and approval of House Bill No. 130, House Bill No. 131, and House Bill No. 132 and may be used only to implement those bills."

74. Page C-4.

Following: line 4

Insert: "d. Flood Damage Mitigation Assistance Program
1,000,000 1,000,000" [general fund FY10 and FY11]

75. Page C-4.

Strike: line 16 through page C-5, line 3 in their entirety

76. Page D-1.

Following: line 1

Insert: "JUDICIARY (2110)

1. Supreme Court Operations (01)

a. Self-Help Law Program 247,500 247,500" [General Fund FY 2010 and FY 2011]

77. Page D-1.

Following: line 13

Strike: line 14 through line 16 in their entirety

Insert: "1. Legal Services Division (01)

a. Crime Victims Compensation Grant 90,582 90,582" [Federal Fund FY 2010 and 2011]

78. Page D-2.

Strike: line 2 through line 3

Renumber: subsequent sections

79. Page D-2.

Following: line 9

Strike: line 10 through line 12 in their entirety

Insert: "1. Community Corrections (02)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime 73,225
73,620" [General Fund FY 2010 and 2011]

2. "Secure Care (03)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime 997,547
1,002,781" [General Fund FY 2010 and 2011]

3. "Juvenile Corrections (05)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime 282,040
283,346" [General Fund FY 2010 and FY 2011]

80. Page E-2, line 9.

Following: line 8

Insert: "h. Special Education -- Maintenance of Effort -- FY
2009"

1,233,764 1,233,764 [general fund FY10 FY11]

i. Flex Fund

5,000,000 5,000,000 [general fund FY10 FY11]"

81. Page E-2.

Following: line 11

Insert: "Total fiscal year 2010 expenditures from the line item
Flex Fund may be included in the base budget as the at-risk
funding component for the purposes of 17-7-111 for the 2013
biennium budget in accordance with [section 5]. These
expenditures may be funded with general fund in the present
law budget for the 2013 biennium executive budget in
accordance with [section 5]

MONTANA ARTS COUNCIL (5114)

1. National Endowment for the Arts

145,500 145,500 [federal special revenue FY10 FY 11]

MONTANA LIBRARY COMMISSION (5115)

1. Statewide Library Resources (01)

a. Expansion of Reading Services for the Blind

323,000 [general fund FY10]"

82. Page E-3, line 1.

Following: "Assistance"

Insert: "(Restricted/OTO)"

83. Page E-3, line 2.

Strike: "0 0" [general fund FY 10 and FY 11]

Insert: "700,000 700,000" [general fund FY 10 and FY 11]

84. Page E-3,

Following: line 2

Insert: "b. Community Colleges Tuition Mitigation
776,851 824,024 [general fund FY10 FY11]"

85. Page E-3.

Following: line 7

Insert: " c. Montana University System Tuition Mitigation and
Increased Access to Distance Learning for Resident Students
4,103,549 4,103,549 [general fund FY10 FY11]

d. PBS Satellite Delivery
200,000 200,000 [general fund FY10 FY11]

e. Agricultural Experiment Station and Montana Extension
Service Additional Funding
300,000 300,000 [general fund FY10 FY11]"

f. Virtual High School
1,120,000 1,120,000 [general fund FY10 FY11]

86. Page E-3.

Strike: line 14 through line 16

87. Page E-4.

Following: line 5

Insert: "The amount of \$1,400,000 general fund over the biennium
for Community College Assistance will be divided equally
between Miles community college and Dawson community college
for tuition stabilization and infrastructure, energy, and
weatherization projects."

88. Page E-4.

Following: line 7

Insert: "Total fiscal year 2010 expenditures from the line item
Stabilization Funding for Higher Education may be included
in the base budget for the purposes of 17-7-111 for the 2013
biennium budget in accordance with [section 5]. These

expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 5]."

89. Page F-1, line 5.

Strike: "7,734,914[FY 2010 Federal Special Revenue]"

Insert: "6,744,914[FY 2010 Federal Special Revenue]"

Strike: "7,734,914[FY 2011 Federal Special Revenue]"

Insert: "6,744,914[FY 2011 Federal Special Revenue]"

90. Page F-1, line 7.

Strike: "542,586[FY 2010 General Fund]"

Insert: "1,792,586[FY 2010 General Fund]"

Strike: "542,586[FY 2011 General Fund]"

Insert: "1,792,586[FY 2011 General Fund]"

91. Page F-1, line 9.

Strike: "7,094,000[FY 2010 Federal Special Revenue]"

Insert: "7,519,000[FY 2010 Federal Special Revenue]"

Strike: "7,094,000[FY 2011 Federal Special Revenue]"

Insert: "7,519,000[FY 2011 Federal Special Revenue]"

92. Page F-2, line 1.

Strike: "3,000,000[FY 2010 General Fund]"

Insert: "1,500,000[FY 2010 General Fund]"

Strike: "3,000,000[FY 2011 General Fund]"

Insert: "1,500,000[FY 2011 General Fund]"

93. Page F-2, line 2 through 3.

Strike: line 2 through line 3 in their entirety

Renumber: subsequent subsections

94. Page F-2, line 10.

Strike: "1,000,000[FY 2010 General Fund]"

Insert: "500,000[FY 2010 General Fund]"

Strike: "1,000,000[FY 2011 General Fund]"

Insert: "500,000[FY 2011 General Fund]"

95. Page F-2, line 11 through 12.

Strike: line 11 through line 12 in their entirety

Renumber: subsequent subsections

96. Page F-2, line 14.

Strike: "2,750,000[FY 2010 General Fund] "

Insert: "750,000[FY 2010 General Fund] "

Strike: "2,750,000[FY 2011 General Fund] "

Insert: "750,000[FY 2011 General Fund] "

97. Page F-2, line 16.

Strike: "3,433,100[FY 2010 General Fund] "

Insert: "1,750,000[FY 2010 General Fund] "

Strike: "3,433,100[FY 2011 General Fund] "

Insert: "1,750,000[FY 2011 General Fund] "

98. Page F-3, line 5.

Strike: "10,250,000[FY 2010 General Fund] "

Insert: "11,500,000[FY 2010 General Fund] "

Strike: "10,250,000[FY 2011 General Fund] "

Insert: "11,500,000[FY 2011 General Fund] "

99. Page F-3.

Strike: line 9 through line 10 in their entirety

100. Page F-3, line 13.

Strike: "1,750,000[FY 2010 General Fund] "

Insert: "2,074,398[FY 2010 General Fund] "

Strike: "1,750,000[FY 2011 General Fund] "

Insert: "2,074,398[FY 2011 General Fund] "

101. Page F-3, line 16.

Strike: "500,000[FY 2010 General Fund] "

Insert: "897,133[FY 2010 General Fund] "

Strike: "500,000[FY 2011 General Fund] "

Insert: "897,133[FY 2011 General Fund] "

102. Page F-4.

Strike: line 8

- END -

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Sands, Sesso, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Warburton, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 71

Nays: Bennett, Berry, Bonick, Brown, Glaser, Hawk, Hoven, Howard, Ingraham, Kasten, Kerns, Klock, McGillvray, Mendenhall, Miller, More, Morgan, O'Hara, Peterson, Pomnichowski, Sales, Smith, Sonju, Stoker, Vincent, Wagner, Washburn, Welborn.
Total 28

Excused: None.
Total 0

Absent or not voting: McChesney.
Total 1

HB 645 - Representative Sesso introduced **HB 645**.

HB 645 - Representative Reinhart moved **HB 645**, second reading copy, be amended as follows:

1. Page 4, line 13.

Following: "(1)"

Insert: "(a)"

Strike: "An"

Insert: "Subject to subsection (1)(b), an"

2. Page 4.

Following: line 15

Insert: "(b) Unless specifically required by the American Recovery and Reinvestment Act of 2009, Public Law 111-5, the department of transportation may not charge indirect costs for funds received under the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

Amendment **failed** as follows:

Yeas: Arntzen, Barrett, B. Beck, Becker, Bennett, Boniek, Boss Ribs, Butcher, Caferro, Cohenour, Dickenson, French, Henry, Ingraham, Kasten, Malek, McAlpin, Morgan, Pomnichowski, Reichner, Reinhart, Sales, Sonju, Vincent, Wagner, Wiseman.
Total 26

Nays: Ankney, Augare, Bean, P. Beck, Belcourt, Berry, Blewett, Boland, Brown, Campbell, Driscoll, Ebinger, Fleming, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, More, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Randall, Regier, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Warburton, Washburn, Wilmer, Wilson, Mr. Speaker.
Total 69

Excused: Howard, Miller.
Total 2

Absent or not voting: Blasdel, Hendrick, Welborn.
Total 3

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HB 645 - Representative Wiseman moved **HB 645**, second reading copy, be amended as follows:

1. Page 6, line 17.

Strike: "51"

Insert: "52"

2. Page 7, line 14.

Strike: "51"

Insert: "52"

3. Page 33, line 5.

Strike: "51"

Insert: "52"

4. Page 36, line 14.

Strike: "51"

Insert: "52"

5. Page 44.

Following: line 2

Insert: "NEW SECTION. Section 30. Local disaster grant program. The department of commerce shall make grants from funds made available for that purpose to a local government for the purpose of removal of debris from property directly damaged by a disaster for which the principal executive officer of the local jurisdiction has made a disaster declaration pursuant to 10-3-402. The terms of a grant must include a provision for repayment of the grant amount from the proceeds of any recovery that the local government receives for the costs incurred in removing the debris."

Renumber: subsequent sections

6. Page 43, line 14.

Strike: "51"

Insert: "52"

7. Page 43, line 17.

Strike: "51"

Insert: "52"

8. Page 48, line 10.

Strike: "51"

Insert: "52"

9. Page 49, line 12.

Strike: "51"

Insert: "52"

10. Page 50, line 8.

Strike: "51"

Insert: "52"

11. Page 50, line 19.

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Strike: "51"

Insert: "50"

12. Page 51, line 5.

Strike: "51"

Insert: "52"

13. Page 51, line 12.

Strike: "51"

Insert: "52"

14. Page 51, line 20.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

15. Page 51, line 21.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

16. Page 52, line 15.

Strike: "51"

Insert: "52"

17. Page A-3.

Following: line 6

Insert: "g. Local Disaster Grant Program
400,000" [general fund in FY 2010]

18. Page F-2, line 5.

Strike: "1,500,000 [FY 2010 General Fund]"

Insert: "1,100,000 [FY 2010 General Fund]"

Amendment **failed** as follows:

Yeas: Barrett, Blasdel, Blewett, Boland, Caferro, Cohenour, Dickenson, Ebinger, Fleming, Getz, Hamilton, Hands, Ingraham, Malek, McAlpin, More, P. Noonan, Phillips, Pomnichowski, Reinhart, Vance, Washburn, Wilmer, Wilson, Wiseman.

Total 25

Nays: Ankney, Arntzen, Augare, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Boniek, Boss Ribs, Brown, Butcher, Campbell, Driscoll, French, Furey, Glaser, Grinde, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Morgan, A. Noonan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Sands, Sesso, Smith,

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Sonju, Stahl, Stecnson, Stoker, Taylor, Van Dyk, Villa, Vincent, Wagner, Mr. Speaker.
Total 70

Excused: Howard, Miller.
Total 2

Absent or not voting: Pease-Lopez, Warburton, Welborn.
Total 3

HB 645 - Representative Wiseman moved **HB 645**, second reading copy, be amended as follows:

1. Page 6, line 17.

Strike: "51"

Insert: "52"

2. Page 7, line 14.

Strike: "51"

Insert: "52"

3. Page 33, line 5.

Strike: "51"

Insert: "52"

4. Page 36, line 14.

Strike: "51"

Insert: "52"

5. Page 44.

Following: line 2

Insert: "NEW SECTION. Section 30. Local disaster grant program. The department of commerce shall make grants from funds made available for that purpose to a local government for the purpose of removal of debris from property directly damaged by a disaster for which the principal executive officer of the local jurisdiction has made a disaster declaration pursuant to 10-3-402. The terms of a grant must include a provision for repayment of the grant amount from the proceeds of any recovery that the local government receives for the costs incurred in removing the debris."

Renumber: subsequent sections

6. Page 43, line 14.

Strike: "51"

Insert: "52"

7. Page 43, line 17.

Strike: "51"

Insert: "52"

8. Page 48, line 10.

Strike: "51"

Insert: "52"

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9. Page 49, line 12.

Strike: "51"

Insert: "52"

10. Page 50, line 8.

Strike: "51"

Insert: "52"

11. Page 50, line 19.

Strike: "51"

Insert: "50"

12. Page 51, line 5.

Strike: "51"

Insert: "52"

13. Page 51, line 12.

Strike: "51"

Insert: "52"

14. Page 51, line 20.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

15. Page 51, line 21.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

16. Page 52, line 15.

Strike: "51"

Insert: "52"

17. Page A-3.

Following: line 6

Insert: "g. Local Disaster Grant Program
400,000" [general fund in FY 2010]

18. Page A-5, line 1.

Strike: "1,500,000" [general fund FY 10]

Insert: "1,100,000" [general fund FY 11]

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Amendment **failed** as follows:

Yeas: Blasdel, Blewett, Boland, Caferro, Cohenour, Dickenson, Fleming, Getz, Malek, McAlpin, More, Phillips, Pomnichowski, Reinhart, Vance, Wilmer, Wilson, Wiseman.

Total 18

Nays: Ankney, Arntzen, Augarc, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Bonick, Boss Ribs, Brown, Butcher, Campbell, Driscoll, Ebinger, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 79

Excused: Howard, Miller.

Total 2

Absent or not voting: Pease-Lopez.

Total 1

HB 645 - Representative Wiseman moved **HB 645**, second reading copy, be amended as follows:

1. Page 6, line 17.

Strike: "51"

Insert: "52"

2. Page 7, line 14.

Strike: "51"

Insert: "52"

3. Page 33, line 5.

Strike: "51"

Insert: "52"

4. Page 36, line 14.

Strike: "51"

Insert: "52"

5. Page 44.

Following: line 2

Insert: "NEW SECTION. Section 30. Local disaster grant program. The department of commerce shall make grants from funds made available for that purpose to a local government for the purpose of removal of debris from property directly damaged by a disaster for which the principal executive officer of the local jurisdiction has made a disaster declaration pursuant to 10-3-402. The terms of a grant must include a provision for repayment of the grant amount from the proceeds of any recovery that the local government receives for the costs incurred in removing the debris."

Renumber: subsequent sections

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6. Page 43, line 14.

Strike: "51"

Insert: "52"

7. Page 43, line 17.

Strike: "51"

Insert: "52"

8. Page 48, line 10.

Strike: "51"

Insert: "52"

9. Page 49, line 12.

Strike: "51"

Insert: "52"

10. Page 50, line 8.

Strike: "51"

Insert: "52"

11. Page 50, line 19.

Strike: "51"

Insert: "50"

12. Page 51, line 5.

Strike: "51"

Insert: "52"

13. Page 51, line 12.

Strike: "51"

Insert: "52"

14. Page 51, line 20.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

15. Page 51, line 21.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

16. Page 52, line 15.

Strike: "51"

Insert: "52"

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17. Page A-3.

Following: line 6

Insert: "g. Local Disaster Grant Program
400,000" [general fund in FY 2010]

18. Page A-4, line 12.

Strike: "2,500,871" [general fund FY 10]

Insert: "2,100,871" [general fund FY 10]

Amendment **failed** as follows:

Yeas: Becker, Blewett, Boland, Ebinger, Fleming, Getz, Ingraham, McAlpin, More, Pomnichowski, Wilmer, Wiseman.

Total 12

Nays: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Berry, Blasdel, Bonick, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNutt, Mchlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilson, Mr. Speaker.
Total 85

Excused: Howard, Miller.

Total 2

Absent or not voting: Mendenhall.

Total 1

HB 645 - Representative Wiseman moved **HB 645**, second reading copy, be amended as follows:

1. Page 6, line 17.

Strike: "51"

Insert: "52"

2. Page 7, line 14.

Strike: "51"

Insert: "52"

3. Page 33, line 5.

Strike: "51"

Insert: "52"

4. Page 36, line 14.

Strike: "51"

Insert: "52"

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5. Page 44.

Following: line 2

Insert: "NEW SECTION. Section 30. Local disaster grant program. The department of commerce shall make grants from funds made available for that purpose to a local government for the purpose of removal of debris from property directly damaged by a disaster for which the principal executive officer of the local jurisdiction has made a disaster declaration pursuant to 10-3-402. The terms of a grant must include a provision for repayment of the grant amount from the proceeds of any recovery that the local government receives for the costs incurred in removing the debris."

Renumber: subsequent sections

6. Page 43, line 14.

Strike: "51"

Insert: "52"

7. Page 43, line 17.

Strike: "51"

Insert: "52"

8. Page 48, line 10.

Strike: "51"

Insert: "52"

9. Page 49, line 12.

Strike: "51"

Insert: "52"

10. Page 50, line 8.

Strike: "51"

Insert: "52"

11. Page 50, line 19.

Strike: "51"

Insert: "50"

12. Page 51, line 5.

Strike: "51"

Insert: "52"

13. Page 51, line 12.

Strike: "51"

Insert: "52"

14. Page 51, line 20.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

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15. Page 51, line 21.

Following: "25"

Insert: ", "

Strike: "AND"

Following: "26"

Insert: ", and 30"

16. Page 52, line 15.

Strike: "51"

Insert: "52"

17. Page A-3.

Following: line 6

Insert: "g. Local Disaster Grant Program
400,000" [general fund in FY 2010]

18. Page F-1, line 9.

Strike: "1,792,586 [FY 2010 General Fund]"

Insert: "1,392,586 [FY 2010 General Fund]"

Amendment **failed** as follows:

Yeas: Becker, Belcourt, Blewett, Boland, Caferro, Dickenson, Ebinger, Furey, Getz, Hamilton, Hands, McAlpin, McGillvray, More, Pease-Lopez, Phillips, Pomnichowski, Sales, Sonju, Van Dyk, Wiseman.

Total 21

Nays: Ankney, Arntzen, Augarc, Barrett, Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Bonick, Boss Ribs, Brown, Butcher, Campbell, Cohenour, Driscoll, Fleming, French, Glaser, Grinde, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Peterson, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Stahl, Steenson, Stoker, Taylor, Vance, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.

Total 77

Excused: Howard, Miller.

Total 2

Absent or not voting: None.

Total 0

HB 645 - Representative Sesso moved **HB 645**, second reading copy, be amended as follows:

1. Page 37, line 7.

Following: "PARKS"

Insert: "; debris removal"

2. Page 40, line 15.

Following: "REMOVAL"

Insert: "; debris removal"

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3. Page 42, line 17.

Following: "IMPROVEMENTS"

Insert: "; debris removal"

Amendment adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Jopek, Kasten, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, More, A. Noonan, P. Noonan, Nooney, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 90

Nays: Boniek, Kerns, Morgan, O'Hara, Sonju, Stoker, Wagner.

Total 7

Excused: Howard, Miller.

Total 2

Absent or not voting: Welborn.

Total 1

Rep. More rose to address the bill and his comments were out of order.

Rep. Stoker rose on a point of personal privilege to object to Rep. More's comments.

HB 645 - Representative Sesso moved **HB 645**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Van Dyk, Villa, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 65

Nays: Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Brown, Butcher, Hawk, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Morgan, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Taylor, Vance, Vincent, Wagner, Warburton, Washburn.

Total 34

Excused: None.

Total 0

Absent or not voting: Boniek.

Total 1

Majority Leader Campbell moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report

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adopted as follows:

Yeas: Ankney, Augare, Barrett, Becker, Belcourt, Blewett, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Van Dyk, Villa, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 69

Nays: Arntzen, Bean, B. Beck, P. Beck, Bennett, Berry, Blasdel, Bonick, Butcher, Hawk, Hendrick, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, More, Randall, Regier, Sales, Smith, Sonju, Taylor, Vance, Vincent, Wagner, Warburton.
Total 28

Excused: Howard, Miller.
Total 2

Absent or not voting: Himmelberger.
Total 1

Rep. More rose on a point of personal privilege to apologize to Rep. Stoker and Rep. Himmelberger for his comments earlier.

MOTIONS

Rep. Campbell moved to suspend the rules in order to place **HB 664** on 3rd reading for this the 67th legislative day.
Motion carried.

Rep. Campbell moved to suspend the rules in order to place **HB 645** on 3rd reading for this the 67th legislative day.
Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 52 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Bennett, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Van Dyk, Villa, Vincent, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 78

Nays: B. Beck, Blasdel, Boniek, Hawk, Hendrick, Ingraham, Kasten, Kerns, Lake, Mendenhall, More, Randall, Reichner, Sales, Smith, Sonju, Taylor, Vance, Wagner.
Total 19

Excused: Howard, Miller.
Total 2

3rd Reading

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Smith, Sonju, Vance, Vincent, Wagner.
Total 17

Excused: Howard, Miller.
Total 2

Absent or not voting: Wiseman.
Total 1

HB 664 passed as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Blasdel, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Grinde, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopck, Klock, Kottel, Lake, MacDonald, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Taylor, Vance, Van Dyk, Villa, Warburton, Washburn, Wilmer, Wilson, Mr. Speaker.
Total 75

Nays: Bennett, Berry, Boniek, Brown, Glaser, Hawk, Ingraham, Kasten, Kerns, MacLaren, McGillvray, Mendenhall, More, Morgan, Peterson, Pomnichowski, Sales, Smith, Stoker, Vincent, Wagner, Welborn.
Total 22

Excused: Howard, Miller.
Total 2

Absent or not voting: Wiseman.
Total 1

HB 645 passed as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Van Dyk, Villa, Welborn, Wilmer, Wilson, Mr. Speaker.
Total 64

Nays: Arntzen, Bean, B. Beck, Bennett, Berry, Blasdel, Boniek, Brown, Butcher, Hawk, Hendrick, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, More, Morgan, Peterson, Randall, Regier, Reichner, Sales, Smith, Sonju, Taylor, Vance, Vincent, Wagner, Warburton, Washburn.
Total 33

Excused: Howard, Miller.
Total 2

Absent or not voting: Wiseman.
Total 1

260

HOUSE BILL NO. 645

INTRODUCED BY J. SESSO

BY REQUEST OF THE HOUSE APPROPRIATIONS STANDING COMMITTEE

1
2
3
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; PROVIDING
6 APPROPRIATIONS OF FEDERAL FUNDS AND OTHER FUNDS AVAILABLE BECAUSE OF THE RECEIPT OF FEDERAL FUNDS; REVISING
7 STATUTES TO IMPLEMENT THE RECEIPT AND EXPENDITURE OF THE FEDERAL FUNDS AND THE FUNDS AVAILABLE BECAUSE OF THE
8 RECEIPT OF THE FEDERAL FUNDS; AUTHORIZING THE ADOPTION OF RETROACTIVE ADMINISTRATIVE RULES; REVISING THE ALLOCATION
9 OF THE HOSPITAL BED TAX; REVISING INDIRECT COST RECOVERY LAWS; REVISING THE DEFINITIONS OF BASE BUDGET AND PRESENT
10 LAW BASE FOR THE NEXT STATE BUDGET CYCLE; REVISING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS; PROVIDING FOR A
11 PART-TIME WORK SEARCH AND PARTICIPATION IN WORKER TRAINING FOR UNEMPLOYMENT PURPOSES; ~~REVISING THE USE OF THE~~
12 ~~HEALTHY KIDS STATE SPECIAL REVENUE ACCOUNT;~~ REVISING THE USE OF THE HEALTH AND MEDICAID INITIATIVES ACCOUNT; CLARIFYING
13 WATER POLLUTION LAWS AND THE USE OF FEDERAL FUNDS FOR WATER PROJECTS; REVISING THE ALTERNATIVE ENERGY LOAN
14 PROGRAM; ESTABLISHING THE DISTRESSED WOOD PRODUCTS INDUSTRY RECOVERY PROGRAM; PROVIDING FOR A QUICK START ENERGY
15 PROGRAM WITHIN THE DEPARTMENT OF COMMERCE FOR QUICK START ENERGY EFFICIENCY IMPROVEMENTS FOR SCHOOL FACILITIES;
16 REVISING THE PRIORITIES FOR FUNDING UNDER THE BIG SKY ECONOMIC DEVELOPMENT PROGRAM; EXTENDING THE HOSPITAL BED TAX;
17 AMENDING SECTIONS 2-4-306, 15-66-102, 17-1-106, 17-2-124, 17-7-102, 17-7-402, 17-7-502, 20-25-427, 39-51-201, 52-3-115, ~~53-4-1115~~, 53-6-149,
18 53-6-1201, 75-5-1102, 75-5-1107, 75-6-202, 75-6-226, 75-25-101, ~~AND 75-25-102, AND 90-1-204~~, MCA, SECTION 20, CHAPTER 390, LAWS OF 2003,
19 SECTIONS 4 AND 7, CHAPTER 606, LAWS OF 2005, SECTIONS 4, 5, 6, AND 8, CHAPTER 517, LAWS OF 2007, AND SECTION 9-B, CHAPTER 5,
20 SPECIAL LAWS OF MAY 2007; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION
21 DATE."

19T
Legislative
Services
Division

1

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

3

4 **Section 1.** Section 2-4-306, MCA, is amended to read:

5 **"2-4-306. Filing, format, and adoption and effective dates -- dissemination of emergency rules.** (1) Each agency shall file with the secretary
6 of state a copy of each rule adopted by it or a reference to the rule as contained in the proposal notice. A rule is adopted on the date that the adoption notice
7 is filed with the secretary of state and is effective on the date referred to in subsection (4), except that if the secretary of state requests corrections to the
8 adoption notice, the rule is adopted on the date that the revised notice is filed with the secretary of state.

9 (2) Pursuant to 2-15-401, the secretary of state may prescribe rules to effectively administer this chapter, including rules regarding the format,
10 style, and arrangement for notices and rules that are filed pursuant to this chapter, and may refuse to accept the filing of any notice or rule that is not in
11 compliance with this chapter. The secretary of state shall keep and maintain a permanent register of all notices and rules filed, including superseded and
12 repealed rules, that must be open to public inspection and shall provide copies of any notice or rule upon request of any person. Unless otherwise provided
13 by statute, the secretary of state may require the payment of the cost of providing copies.

14 (3) If the appropriate administrative rule review committee has conducted a poll of the legislature in accordance with 2-4-403, the results of the
15 poll must be published with the rule if the rule is adopted by the agency.

16 (4) Each Subject to subsection (6), each rule is effective after publication in the register, as provided in 2-4-312, except that:

17 (a) if a later date is required by statute or specified in the rule, the later date is the effective date;

18 (b) subject to applicable constitutional or statutory provisions:

19 (i) a temporary rule is effective immediately upon filing with the secretary of state or at a stated date following publication in the register; and

20 (ii) an emergency rule is effective at a stated date following publication in the register or immediately upon filing with the secretary of state if the
21 agency finds that this effective date is necessary because of imminent peril to the public health, safety, or welfare. The agency's finding and a brief

1 statement of reasons for the finding must be filed with the rule. The agency shall, in addition to the required publication in the register, take appropriate
2 and extraordinary measures to make emergency rules known to each person who may be affected by them.

3 (c) if, following written administrative rule review committee notification to an agency under 2-4-305(9), the committee meets and under 2-4-406(1)
4 objects to all or some portion of a proposed rule before the proposed rule is adopted, the proposed rule or portion of the proposed rule objected to is not
5 effective until the day after final adjournment of the regular session of the legislature that begins after the notice proposing the rule was published by the
6 secretary of state, unless, following the committee's objection under 2-4-406(1):

7 (i) the committee withdraws its objection under 2-4-406 before the proposed rule is adopted; or

8 (ii) the rule or portion of a rule objected to is adopted with changes that in the opinion of a majority of the committee members, as communicated
9 in writing to the committee presiding officer and staff, make it comply with the committee's objection and concerns.

10 (5) An Subject to subsection (6), an agency may not enforce, implement, or otherwise treat as effective a rule proposed or adopted by the agency
11 until the effective date of the rule as provided in this section. Nothing in this subsection prohibits an agency from enforcing an established policy or practice
12 of the agency that existed prior to the proposal or adoption of the rule as long as the policy or practice is within the scope of the agency's lawful authority.

13 (6) For purposes of implementing and complying with the American Recovery and Reinvestment Act of 2009, Public Law 111-5, an agency may
14 adopt and implement a rule retroactive to February 17, 2009, provided that the retroactive applicability date is clearly stated in the agency's proposed and
15 adopted rule."

16

17 **Section 2.** Section 15-66-102, MCA, is amended to read:

18 **"15-66-102. (Temporary) Utilization fee for inpatient bed days.** (1) Each hospital in the state shall pay to the department a utilization fee:

19 ~~—— (a) in the amount of \$27.70 for each inpatient bed day between January 1, 2006, and June 30, 2007;~~

20 ~~—— (b) in the amount of \$47 for each inpatient bed day between July 1, 2007, and December 31, 2007;~~

21 ~~—— (c) in the amount of \$43 for each inpatient bed day between January 1, 2008, and December 31, 2008;~~

(d)(a) in the amount of \$48 for each inpatient bed day between January 1, 2009, and December 31, 2009; and

(e)(b) beginning January 1, 2010, in the amount of \$50 for each inpatient bed day.

(2) ~~All~~ Subject to subsection (3), all proceeds from the collection of utilization fees, including penalties and interest, must, in accordance with the provisions of 17-2-124, be deposited to the credit of the department of public health and human services in a state special revenue account as provided in 53-6-149.

(3) The following amounts must be deposited in the state general fund:

(a) for state fiscal year 2009, proceeds in excess of ~~\$10,895,844~~ \$16,232,795;

(b) for state fiscal year 2010, proceeds in excess of ~~\$11,018,627~~ \$18,505,269; and

(c) for state fiscal year 2011, proceeds in excess of ~~\$16,213,433~~ \$19,818,193. (Void on occurrence of contingency--sec. 18, Ch. 390, L. 2003.

Terminates June 30, 2009--secs. 5, 6, 8, Ch. 517, L. 2007.)"

Section 3. Section 17-1-106, MCA, is amended to read:

"17-1-106. Agency recovery of indirect costs. (1) An agency receiving nongeneral funds shall, in accordance with all applicable regulations, guidelines, or grant rules governing those funds, negotiate indirect cost reimbursement amounts and methodologies so that the agency may recover indirect costs.

(2) ~~An~~ Except for funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, an agency, except for a unit of the university system, that applies for or otherwise receives funds through federal or private grants or contracts that do not allow the agency to fully recover indirect costs shall notify and must receive written approval from its approving authority prior to accepting the funds.

(3) An agency, except for a unit of the university system, may not, as part of the grant or contract proposal or negotiation process, waive or otherwise forfeit the agency's ability to recover indirect costs that are otherwise allowable costs under the program, except for intra-agency or interagency grants or contracts. For grants or contracts for which the entity providing the funds limits administrative cost reimbursements or indirect cost recoveries

1 by regulation, policy, or guideline, statewide and agency indirect costs paid originally from the general fund must be claimed first, other indirect costs must
2 be claimed second, agency direct costs of administration must be claimed third, and program direct costs must be claimed last. For grants or contracts
3 for which there is no limit on indirect costs or administrative costs, indirect and administrative costs must be claimed first and direct program costs must
4 be claimed last.

5 (4) Each agency receiving federal funds and not directly charging a grant or program for the recovery of indirect costs shall submit an indirect cost
6 proposal to the appropriate federal agency. The department shall provide technical assistance to an agency on how to build an indirect cost proposal.

7 (5) Except as provided for a unit of the university system under 20-25-427, indirect costs recovered by an agency to pay the agency's indirect
8 costs under 17-1-105 must be deposited as provided in 17-1-105. All other indirect costs must be deposited in the fund from which the indirect costs were
9 originally paid."

10

11 **Section 4.** Section 17-2-124, MCA, is amended to read:

12 **"17-2-124. Disposition of money from certain designated license and other taxes.** (1) The state treasurer shall deposit to the credit of the
13 appropriate fund in accordance with the provisions of subsection (3) all money received from the collection of taxes and fees.

14 (2) The department of revenue shall deposit to the credit of the state general fund all money received from the collection of license taxes and all
15 net revenue and receipts from all sources, other than certain fees, under Title 16, chapters 1 through 4 and 6.

16 (3) The Except for the utilization fee collected under 15-66-102 during fiscal year 2009, the distribution of tax and fee revenue must be made
17 according to the provisions of the law governing allocation of the tax or fee that were in effect for the period in which the tax or fee revenue was recorded
18 for accounting purposes. Tax revenue must be recorded as prescribed by the department of administration, pursuant to 17-1-102(2) and (4), in accordance
19 with generally accepted accounting principles.

20 (4) All refunds of taxes or fees must be attributed to the funds in which the taxes or fees are currently being recorded. All refunds of interest and
21 penalties must be attributed to the funds in which the interest and penalties are currently being recorded."

1
2 **Section 5.** Section 17-7-102, MCA, is amended to read:

3 **"17-7-102. (Temporary) Definitions.** As used in this chapter, the following definitions apply:

4 (1) "Additional services" means different services or more of the same services.

5 (2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other
6 administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.

7 (3) "Approving authority" means:

8 (a) the governor or the governor's designated representative for executive branch agencies;

9 (b) the chief justice of the supreme court or the chief justice's designated representative for judicial branch agencies;

10 (c) the speaker for the house of representatives;

11 (d) the president for the senate;

12 (e) appropriate legislative committees or a designated representative for legislative branch agencies; or

13 (f) the board of regents of higher education or its designated representative for the university system.

14 (4) (a) "Base budget" means the resources for the operation of state government that are of an ongoing and nonextraordinary nature in the current
15 biennium. The base budget for the state general fund and state special revenue funds may not exceed that level of funding authorized by the previous
16 legislature. For the biennium beginning July 1, 2011, the term includes general fund and state special revenue fund appropriations reduced in House Bill
17 No. 2 or by [LC 2314, House Bill No. _____, 2009] because of the receipt of federal funds ITEMS SPECIFIED IN [SECTION 51].

18 (b) The term does not include funding for water adjudication if the accountability benchmarks contained in 85-2-271 are not met.

19 (5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

20 (6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated circumstance that has occurred
21 subsequent to the time that an agency's appropriation was made, that was clearly not within the contemplation of the legislature and the governor, and

1 that affects one or more functions of a state agency and the agency's expenditure requirements for the performance of the function or functions.

2 (7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set forth in 17-8-101.

3 (8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next legislative session for legislative consideration.

4 (9) "New proposals" means requests to provide new nonmandated services, to change program services, to eliminate existing services, or to
5 change sources of funding. For purposes of establishing the present law base, the distinction between new proposals and the adjustments to the base
6 budget to develop the present law base is to be determined by the existence of constitutional or statutory requirements for the proposed expenditure. Any
7 proposed increase or decrease that is not based on those requirements is considered a new proposal.

8 (10) ~~(a)~~ "Present law base" means that level of funding needed under present law to maintain operations and services at the level authorized by
9 the previous legislature, including but not limited to:

10 ~~(a)(i)(A)~~ changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

11 ~~(b)(iii)(B)~~ changes in funding requirements resulting from constitutional or statutory schedules or formulas;

12 ~~(c)(iii)(C)~~ inflationary or deflationary adjustments; and

13 ~~(d)(iv)(D)~~ elimination of nonrecurring appropriations; AND

14 (E) ITEMS SPECIFIED IN [SECTION 51].

15 ~~(b) The term does not include funds appropriated in [LC 2314, House Bill No. _____, 2009].~~

16 (11) "Program" means a principal organizational or budgetary unit within an agency.

17 (12) "Requesting agency" means the agency of state government that has requested a specific budget amendment.

18 (13) "University system unit" means the board of regents of higher education; office of the commissioner of higher education; university of Montana,
19 with campuses at Missoula, Butte, Dillon, and Helena; Montana state university, with campuses at Bozeman, Billings, Havre, and Great Falls; the
20 agricultural experiment station, with central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the
21 cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central offices at Butte; the fire services training

1 school at Great Falls; and the community colleges at Miles City, Glendive, and Kalispell. (Terminates June 30, 2020--sec. 11, Ch. 319, L. 2007.)

2 **17-7-102. (Effective July 1, 2020) Definitions.** As used in this chapter, the following definitions apply:

3 (1) "Additional services" means different services or more of the same services.

4 (2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other
5 administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.

6 (3) "Approving authority" means:

7 (a) the governor or the governor's designated representative for executive branch agencies;

8 (b) the chief justice of the supreme court or the chief justice's designated representative for judicial branch agencies;

9 (c) the speaker for the house of representatives;

10 (d) the president for the senate;

11 (e) appropriate legislative committees or a designated representative for legislative branch agencies; or

12 (f) the board of regents of higher education or its designated representative for the university system.

13 (4) "Base budget" means the resources for the operation of state government that are of an ongoing and nonextraordinary nature in the current
14 biennium. The base budget for the state general fund and state special revenue funds may not exceed that level of funding authorized by the previous
15 legislature.

16 (5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

17 (6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated circumstance that has occurred
18 subsequent to the time that an agency's appropriation was made, that was clearly not within the contemplation of the legislature and the governor, and
19 that affects one or more functions of a state agency and the agency's expenditure requirements for the performance of the function or functions.

20 (7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set forth in 17-8-101.

21 (8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next legislative session for legislative consideration.

1 (9) "New proposals" means requests to provide new nonmandated services, to change program services, to eliminate existing services, or to
2 change sources of funding. For purposes of establishing the present law base, the distinction between new proposals and the adjustments to the base
3 budget to develop the present law base is to be determined by the existence of constitutional or statutory requirements for the proposed expenditure. Any
4 proposed increase or decrease that is not based on those requirements is considered a new proposal.

5 (10) "Present law base" means that level of funding needed under present law to maintain operations and services at the level authorized by the
6 previous legislature, including but not limited to:

7 (a) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

8 (b) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

9 (c) inflationary or deflationary adjustments; and

10 (d) elimination of nonrecurring appropriations.

11 (11) "Program" means a principal organizational or budgetary unit within an agency.

12 (12) "Requesting agency" means the agency of state government that has requested a specific budget amendment.

13 (13) "University system unit" means the board of regents of higher education; office of the commissioner of higher education; university of Montana,
14 with campuses at Missoula, Butte, Dillon, and Helena; Montana state university, with campuses at Bozeman, Billings, Havre, and Great Falls; the
15 agricultural experiment station, with central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the
16 cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central offices at Butte; the fire services training
17 school at Great Falls; and the community colleges at Miles City, Glendive, and Kalispell."

18

19 **Section 6.** Section 17-7-402, MCA, is amended to read:

20 **"17-7-402. Budget amendment requirements.** (1) Except as provided in subsection (7), a budget amendment may not be approved:

21 (a) by the approving authority, except a budget amendment to spend:

- 1 (i) additional federal revenue, including grant funds or other funds received pursuant to the American Recovery and Reinvestment Act of 2009,
2 Public Law 111-5;
- 3 (ii) additional tuition collected by the Montana university system;
- 4 (iii) additional revenue deposited in the internal service funds within the department or the office of the commissioner of higher education as a result
5 of increased service demands by state agencies;
- 6 (iv) Montana historical society enterprise revenue resulting from sales to the public;
- 7 (v) additional revenue that is deposited in funds other than the general fund and that is from the sale of fuel for those agencies participating in
8 the Montana public vehicle fueling program established by Executive Order 22-91;
- 9 (vi) revenue resulting from the sale of goods produced or manufactured by the industries program of an institution within the department of
10 corrections;
- 11 (vii) revenue collected for the administration of the state grain laboratory under the provisions of Title 80, chapter 4, part 7;
- 12 (viii) revenue collected for the Water Pollution Control State Revolving Fund Act under the provisions of Title 75, chapter 5, part 11;
- 13 (ix) revenue collected for the Drinking Water State Revolving Fund Act under the provisions of Title 75, chapter 6, part 2;
- 14 (x) state special revenue adjustments required to allocate costs for leave or terminal leave within an agency in accordance with federal circular
15 A-87; or
- 16 (xi) revenue generated from fees collected by the department of justice for dissemination of criminal history record information pursuant to Title
17 44, chapter 5, part 3;
- 18 (b) by the approving authority if the budget amendment contains any significant ascertainable commitment for any present or future increased
19 general fund support;
- 20 (c) by the approving authority for the expenditure of money in the state special revenue fund unless:
- 21 (i) an emergency justifies the expenditure;

1 (ii) the expenditure is authorized under subsection (1)(a); or

2 (iii) the expenditure is exempt under subsection (5);

3 (d) by the approving authority unless it will provide additional services;

4 (e) by the approving authority for any matter, other than the receipt of federal funds pursuant to the American Recovery and Reinvestment Act
5 of 2009, Public Law 111-5, that are not allocated or appropriated in ~~FLC 2314~~, House Bill No. 645, 2009, of which the requesting agency had knowledge
6 at a time when the proposal could have been presented to an appropriation subcommittee, the house appropriations committee, or the senate finance and
7 claims committee of the most recent legislative session open to that matter, except when the legislative finance committee is given specific notice by the
8 approving authority that significant identifiable events, specific to Montana and pursuant to provisions or requirements of Montana state law, have occurred
9 since the matter was raised with or presented for consideration by the legislature; or

10 (f) to extend beyond June 30 of the last year of any biennium, except that budget amendments for federal funds may extend to the end of the
11 federal fiscal year.

12 (2) A general fund loan made pursuant to 17-2-107 does not constitute a significant ascertainable commitment of present general fund support.

13 (3) Subject to subsection (1)(f), all budget amendments must itemize planned expenditures by fiscal year.

14 (4) Each budget amendment must be submitted by the approving authority to the budget director and the legislative fiscal analyst.

15 (5) Money from nonstate or nonfederal sources that would be deposited in the state special revenue fund and that is restricted by law or by the
16 terms of a written agreement, such as a contract, trust agreement, or donation, is exempt from the requirements of this part.

17 (6) An appropriation for a nonrecurring item that would usually be the subject of a budget amendment must be submitted to the legislature for
18 approval during a legislative session between January 1 and the senate hearing on the budget amendment bill. The bill may include authority to spend
19 money in the current fiscal year and in both fiscal years of the next biennium.

20 (7) A budget amendment to spend state funds, other than from the general fund, required for matching funds in order to receive a grant is exempt
21 from the provisions of subsection (1)."

SECTION 7. SECTION 17-7-502, MCA, IS AMENDED TO READ:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; [section 23]; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability

1 is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May
2 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of
3 15-31-906 terminates January 1, 2010; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible
4 under 19-6-709(2) for the supplemental benefit provided by 19-6-709; and pursuant to sec. 6, Ch. 2, Sp. L. September 2007, the inclusion of 76-13-150
5 terminates June 30, 2009.)"

6
7 **Section 8.** Section 20-25-427, MCA, is amended to read:

8 **"20-25-427. Allocation of indirect cost reimbursements.** Any Subject to the conditions contained in the American Recovery and Reinvestment
9 Act of 2009, Public Law 111-5, any reimbursement for indirect costs associated with a grant to or contract with the Montana university system or any of
10 its units is allocated to the designated subfund of the current fund, as provided in 17-2-102, for distribution to the unit receiving the grant or under the
11 contract."

12
13 **Section 9.** Section 39-51-201, MCA, is amended to read:

14 **"39-51-201. General definitions.** As used in this chapter, unless the context clearly requires otherwise, the following definitions apply:

15 (1) "Annual payroll" means the total amount of wages paid by an employer, regardless of the time of payment, for employment during a calendar
16 year.

17 (2) "Base period" means:

18 (a) the first 4 of the last 5 completed calendar quarters immediately preceding the first day of an individual's benefit year;

19 (b) if the individual does not have sufficient wages to qualify for benefits under subsection (2)(a), the 4 most recently completed calendar quarters
20 immediately preceding the first day of the individual's benefit year;

21 (c) ~~However,~~ in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, ~~the base~~

1 ~~period is~~ the period applicable under the unemployment law of the paying state; or

2 (d) ~~For~~ for an individual who fails to meet the qualifications of 39-51-2105 or a similar statute of another state because of a temporary total
3 disability, as defined in 39-71-116, or a similar statute of another state or the United States, ~~the base period means~~ the first 4 quarters of the last 5
4 completed calendar quarters preceding the disability if a claim for unemployment benefits is filed within 24 months of the date on which the individual's
5 disability was incurred.

6 (3) "Benefit year", with respect to any individual, means the 52-consecutive-week period beginning with the first day of the calendar week in which
7 the individual files a valid claim for benefits, except that the benefit year is 53 weeks if filing a new valid claim would result in overlapping any quarter of
8 the base year of a previously filed new claim. A subsequent benefit year may not be established until the expiration of the current benefit year. However,
9 in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the base period is the period
10 applicable under the unemployment law of the paying state.

11 (4) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to the individual's unemployment.

12 (5) "Board" means the board of labor appeals provided for in Title 2, chapter 15, part 17.

13 (6) "Calendar quarter" means the period of 3 consecutive calendar months ending on March 31, June 30, September 30, or December 31.

14 (7) "Contributions" means the money payments to the state unemployment insurance fund required by this chapter but does not include
15 assessments under 39-51-404.

16 (8) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

17 (9) (a) "Domestic or household service" means employment of persons other than members of the household for the purpose of tending to the
18 aid and comfort of the employer or members of the employer's family, including but not limited to housecleaning and yard work.

19 (b) The term does not include employment beyond the scope of normal household or domestic duties, such as home health care or domiciliary
20 care.

21 (10) "Employing unit" means any individual or organization, including the state government and any of its political subdivisions or instrumentalities

1 or an Indian tribe or tribal unit, partnership, association, trust, estate, joint-stock company, insurance company, limited liability company or limited liability
2 partnership that has filed with the secretary of state, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or the
3 trustee's successor, or legal representative of a deceased person in whose employ one or more individuals perform or performed services within this state,
4 except as provided under 39-51-204(1)(a) and (1)(q). All individuals performing services within this state for any employing unit that maintains two or more
5 separate establishments within this state are considered to be employed by a single employing unit for all the purposes of this chapter. Each individual
6 employed to perform or assist in performing the work of any agent or employee of an employing unit is considered to be employed by the employing unit
7 for the purposes of this chapter, whether the individual was hired or paid directly by the employing unit or by the agent or employee, provided that the
8 employing unit has actual or constructive knowledge of the work.

9 (11) "Employment office" means a free public employment office or branch of an office operated by this state or maintained as a part of a
10 state-controlled system of public employment offices or other free public employment offices operated and maintained by the United States government
11 or its instrumentalities as the department may approve.

12 (12) "Fund" means the unemployment insurance fund established by this chapter to which all contributions and payments in lieu of contributions
13 must be paid and from which all benefits provided under this chapter must be paid.

14 (13) "Gross misconduct" means a criminal act, other than a violation of a motor vehicle traffic law, for which an individual has been convicted in
15 a criminal court or has admitted or conduct that demonstrates a flagrant and wanton disregard of and for the rights, title, or interest of a fellow employee
16 or the employer.

17 (14) "Hospital" means an institution that has been licensed, certified, or approved by the state as a hospital.

18 (15) "Independent contractor" means an individual working under an independent contractor exemption certificate provided for in 39-71-417.

19 (16) "Indian tribe" means an Indian tribe as defined in the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450b(e).

20 (17) (a) "Institution of higher education", for the purposes of this part, means an educational institution that:

21 (i) admits as regular students only individuals having a certificate of graduation from a high school or the recognized equivalent of a certificate;

1 (ii) is legally authorized in this state to provide a program of education beyond high school;

2 (iii) provides an educational program for which the institution awards a bachelor's or higher degree or provides a program that is acceptable for
3 full credit toward a bachelor's or higher degree, a program of postgraduate or postdoctoral studies, or a program of training to prepare students for gainful
4 employment in a recognized occupation; and

5 (iv) is a public or other nonprofit institution.

6 (b) All universities in this state are institutions of higher education for purposes of this part.

7 (18) "Licensed and practicing health care provider" means a health care provider who is primarily responsible for the treatment of a person seeking
8 unemployment insurance benefits and who is:

9 (a) licensed to practice in this state as:

10 (i) a physician under Title 37, chapter 3;

11 (ii) a dentist under Title 37, chapter 4;

12 (iii) an advanced practice registered nurse under Title 37, chapter 8, and recognized as a nurse practitioner or certified nurse specialist by the board
13 of nursing, established in 2-15-1734;

14 (iv) a physical therapist under Title 37, chapter 11;

15 (v) a chiropractor under Title 37, chapter 12;

16 (vi) a clinical psychologist under Title 37, chapter 17; or

17 (vii) a physician assistant under Title 37, chapter 20; or

18 (b) with respect to a person seeking unemployment insurance benefits who resides outside of this state, a health care provider licensed or certified
19 as a member of one of the professions listed in subsection (18)(a) in the jurisdiction where the person seeking the benefit lives.

20 (19) "No-additional-cost service" has the meaning provided in section 132 of the Internal Revenue Code, 26 U.S.C. 132.

21 (20) "State" includes, in addition to the states of the United States of America, the District of Columbia, Puerto Rico, the Virgin Islands, and Canada.

1 (21) "Taxes" means contributions and assessments required under this chapter but does not include penalties or interest for past-due or unpaid
2 contributions or assessments.

3 (22) "Tribal unit" means an Indian tribe and any tribal subdivision or subsidiary or any business enterprise that is wholly owned by that tribe.

4 (23) "Unemployment insurance administration fund" means the unemployment insurance administration fund established by this chapter from which
5 administrative expenses under this chapter must be paid.

6 (24) (a) "Wages", unless specifically exempted under subsection (24)(b), means all remuneration payable for personal services, including the cash
7 value of all remuneration paid in any medium other than cash. The reasonable cash value of remuneration payable in any medium other than cash must
8 be estimated and determined pursuant to rules prescribed by the department. The term includes but is not limited to:

9 (i) commissions, bonuses, and remuneration paid for overtime work, holidays, vacations, and sickness periods;

10 (ii) severance or continuation pay, backpay, and any similar pay made for or in regard to previous service by the employee for the employer, other
11 than retirement or pension benefits from a qualified plan; and

12 (iii) tips or other gratuities received by the employee, to the extent that the tips or gratuities are documented by the employee to the employer for
13 tax purposes.

14 (b) The term does not include:

15 (i) the amount of any payment made by the employer for employees, if the payment was made for:

16 (A) retirement or pension pursuant to a qualified plan as defined under the provisions of the Internal Revenue Code;

17 (B) sickness or accident disability under a workers' compensation policy;

18 (C) medical or hospitalization expenses in connection with sickness or accident disability, including health insurance for the employee or the
19 employee's immediate family; or

20 (D) death, including life insurance for the employee or the employee's immediate family;

21 (ii) employee expense reimbursements or allowances for meals, lodging, travel, subsistence, or other expenses, as set forth in department rules;

(iii) a no-additional-cost service; or

(iv) wage subsidies received pursuant to the alternative trade adjustment assistance for older workers program, 19 U.S.C. 2318.

(25) "Week" means a period of 7 consecutive calendar days ending at midnight on Saturday.

(26) "Weekly benefit amount" means the amount of benefits that an individual would be entitled to receive for 1 week of total unemployment."

NEW SECTION. Section 10. Part-time work search -- eligibility for benefits. (1) Except as provided in subsection (2), an individual may not be denied regular unemployment compensation benefits solely because the individual is seeking only part-time work, as that term is defined in rules adopted by the department.

(2) In order to be qualified for benefits under subsection (1), the majority of the individual's workweeks in the base period must have been part-time.

NEW SECTION. Section 11. Participation in worker training program -- eligibility for training benefits. (1) Subject to the requirements of this section, training benefits are available to an individual who has exhausted all rights to regular unemployment compensation benefits and who is attending an approved worker training program.

(2) An unemployed individual who is participating and making satisfactory progress in a state-approved training program or a job training program authorized by the Workforce Investment Act of ~~1998~~ 1998 that is necessary for the individual's reemployment is eligible to receive training benefits if, as determined by the department:

(a) the individual was:

(i) separated from a declining occupation; or

(ii) involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations at the individual's place of employment;

(b) the training enhances the individual's marketable skills and earning power; and

(c) the training is targeted to those industries or skills that are in demand within the labor market.

(3) Benefits must be paid under this section at the individual's average weekly benefit amount during the applicable benefit year and under the same terms and conditions as regular benefits.

(4) Benefits are payable under this section only for weeks during which the individual is attending an approved training program.

(5) An employer's account may not be charged for payment of benefits to an individual under this section.

Section 12. Section 52-3-115, MCA, is amended to read:

"52-3-115. Older Montanans trust fund. (1) There is an older Montanans trust fund within the permanent fund type. The trust fund is subject to legislative appropriation as provided in this section.

(2) (a) The money in the fund may be used to create new, innovative services or to expand existing services for the benefit of Montana residents 60 years of age or older that will enable those Montanans to live an independent lifestyle in the least restrictive setting and will promote the dignity of and respect for those Montanans. The interest and income produced by the trust fund and appropriated to the department by the legislature is intended to increase services referred to in this subsection and not to supplant other sources of revenue for those programs in the trended traditional level, ~~as used in 53-6-1201~~, of appropriations for those services.

(b) As used in subsection (2)(a), the phrase "trended traditional level of appropriations" means the appropriation amounts, including supplemental appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.

(3) The department may accept contributions and gifts for the trust fund in money or other forms, and when accepted, the contributions and gifts must be deposited in the trust fund.

(4) Interest and income earned on money in the trust fund must be retained within the fund except as provided in this section. Until the year 2015, if assets in the fund reach the following amounts, money may be appropriated by the legislature and used in the following amounts for the programs specified in subsection (2):

(a) When the fund balance reaches \$20 million, 50% of the interest earned may be appropriated.

(b) When the fund balance reaches \$50 million, 60% of the interest earned may be appropriated.

(c) When the fund balance reaches \$100 million, 80% of the interest earned may be appropriated.

(5) On and after January 1, 2015, 90% of the interest earned on the trust fund may be appropriated for the programs specified in subsection (2).

(6) The department shall provide to the legislature a biennial report of the expenditures of the money appropriated from the older Montanans trust fund as provided in 5-11-210."

~~Section 12. Section 53-4-1115, MCA, is amended to read:~~

~~"53-4-1115. Special revenue account. (1) There is an account in the state special revenue fund to the credit of the department for the purposes provided in subsection (2). There must be paid into the account the amounts collected under 33-2-708(3)(b). Any interest or income derived from the account must be deposited in the account.~~

~~(2) Money in the account:~~

~~(a) is to be used solely to cover the number of additional enrollees in the plan that exceeds the number of enrollees as of November 4, 2008, within the limits provided in 53-4-1004, 53-6-131, and this part, and to cover the costs of enrollment, including premium assistance, under 53-4-1108(1), and to pay administrative costs associated with expanded eligibility, and to establish and maintain a reserve; and~~

~~(b) may be used only to match federal funds available under the children's health insurance program and the Montana medicaid program.~~

~~(3) The unexpended balance of an appropriation from the account must remain in the account and may be used only for the purposes stated in subsection (2).~~

~~(4) The special revenue account does not affect and is not exclusive of any other sources of funding for the programs described in 53-4-1104(2), including the special revenue account provided for in 53-4-1012.~~

~~(5) If the department determines that there is insufficient funding for the purposes of subsection (2), it may reduce eligibility requirements for~~

1 ~~participants in the children's health insurance program as provided in 53-4-1004(4)."~~

2

3 **Section 13.** Section 53-6-149, MCA, is amended to read:

4 **"53-6-149. (Temporary) State special revenue fund account -- administration.** (1) There is a hospital medicaid reimbursement account in
5 the state special revenue fund provided for in 17-2-102.

6 (2) ~~All~~ Except as provided in 15-66-102(3), all money collected under 15-66-102 must be deposited in the account.

7 (3) Money in the account must be used by the department of public health and human services to provide funding for increases in medicaid
8 payments to hospitals and for the costs of collection of the fee and other administrative activities associated with the implementation of increases in the
9 medicaid payments to hospitals. (Terminates June 30, 2009--sec. 5, Ch. 517, L. 2007.)"

10

11 **NEW SECTION. SECTION 14. MEDICAID RESERVE ACCOUNT.** THERE IS A MEDICAID RESERVE ACCOUNT IN THE STATE SPECIAL REVENUE FUND PROVIDED
12 FOR IN 17-2-102. MONEY IN THE ACCOUNT MUST BE USED BY THE DEPARTMENT FOR MEDICAID BENEFITS AFTER JUNE 30, 2011. ANY INTEREST OR INCOME EARNED
13 ON THE ACCOUNT MUST BE DEPOSITED IN THE ACCOUNT. EACH CALENDAR QUARTER THROUGH DECEMBER 31, 2010, THE AMOUNT RECOVERED UNDER THE FEDERAL
14 MEDICAL ASSISTANCE PERCENTAGE HOLD HARMLESS PROVISION OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, PUBLIC LAW 111-5, MUST BE
15 TRANSFERRED TO THE MEDICAID RESERVE ACCOUNT.

16

17 **Section 15.** Section 53-6-1201, MCA, is amended to read:

18 **"53-6-1201. Special revenue fund -- health and medicaid initiatives.** (1) There is a health and medicaid initiatives account in the state special
19 revenue fund established by 17-2-102. This account is to be administered by the department of public health and human services.

20 (2) There must be deposited in the account:

21 (a) money from cigarette taxes deposited under 16-11-119(1)(c);

1 (b) money from taxes on tobacco products other than cigarettes deposited under 16-11-119(3)(b); and

2 (c) any interest and income earned on the account.

3 (3) This account may be used only to provide funding for:

4 (a) the state funds necessary to take full advantage of available federal matching funds in order to maximize enrollment of eligible children under
5 the children's health insurance program, provided for under Title 53, chapter 4, part 10, and to provide outreach to the eligible children; ~~The increased~~
6 ~~revenue in this account is intended to increase enrollment rates for eligible children in the program and not to be used to support existing levels of~~
7 ~~enrollment based upon appropriations for the biennium ending June 30, 2005.~~

8 (b) a new need-based prescription drug program established by the legislature for children, seniors, chronically ill persons, and disabled persons
9 that does not supplant similar services provided under any existing program;

10 (c) increased medicaid services and medicaid provider rates; ~~The increased revenue is intended to increase medicaid services and medicaid~~
11 ~~provider rates and not to supplant the general fund in the trended traditional level of appropriation for medicaid services and medicaid provider rates.~~

12 (d) an offset to loss of revenue to the general fund as a result of new tax credits;

13 (e) funding new programs to assist eligible small employers with the costs of providing health insurance benefits to eligible employees;

14 (f) the cost of administering the tax credit, the purchasing pool, and the premium incentive payments and premium assistance payments as
15 provided in Title 33, chapter 22, part 20; and

16 (g) providing a state match for the medicaid program for premium incentive payments or premium assistance payments to the extent that a waiver
17 is granted by federal law as provided in 53-2-216.

18 (4) (a) ~~Except for \$1 million appropriated for the startup costs of 53-6-1004 and 53-6-1005, the money appropriated for fiscal year 2006 for the~~
19 ~~programs in subsections (3)(b) and (3)(d) through (3)(g) may not be expended until the office of budget and program planning has certified that \$25 million~~
20 ~~has been deposited in the account provided for in this section or December 1, 2005, whichever occurs earlier.~~

21 ~~_____~~ (b) On or before July 1, the budget director shall calculate a balance required to sustain each program in subsection (3) for each fiscal year of

1 the biennium. If the budget director certifies that the reserve balance will be sufficient, then the agencies may expend the revenue for the programs as
2 appropriated. If the budget director determines that the reserve balance of the revenue will not support the level of appropriation, the budget director shall
3 notify each agency. Upon receipt of the notification, the agency shall adjust the operating budget for the program to reflect the available revenue as
4 determined by the budget director.

5 ~~(e)(b)~~ Until the programs or credits described in subsections (3)(b) and (3)(d) through (3)(g) are established, the funding must be used exclusively
6 for the purposes described in subsections (3)(a) and (3)(c).

7 ~~(5) The phrase "trended traditional level of appropriation", as used in subsection (3)(c), means the appropriation amounts, including supplemental~~
8 ~~appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.~~

9 ~~(6)(5)~~ The department of public health and human services may adopt rules to implement this section."
10

11 **Section 16.** Section 75-5-1102, MCA, is amended to read:

12 **"75-5-1102. Definitions.** Unless the context requires otherwise, in this part, the following definitions apply:

13 (1) "Administrative costs" means costs incurred by the department and the department of natural resources and conservation in the administration
14 of the program, including but not limited to costs of servicing loans and issuing debt; program startup costs; financial, management, and legal consulting
15 fees; and reimbursement costs for support services from other state agencies.

16 (2) "Cost" means, with reference to a project, all capital costs incurred or to be incurred by a municipality or a private person, including but not
17 limited to engineering, construction, financing, and other fees, interest during construction, and a reasonable allowance for contingencies to the extent
18 permitted by the federal act and regulations promulgated under the federal act.

19 (3) "Federal act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, 33 U.S.C. 1251 through 1387, as amended,
20 including conditions and exclusions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

21 (4) "Intended use plan" means the annual plan adopted by the department and submitted to the environmental protection agency that describes

1 how the state intends to use the money in the revolving fund.

2 (5) "Loan" means a loan of money from the revolving fund to a municipality or a private person.

3 (6) "Municipality" means any state agency, city, town, or other public body created pursuant to state law, including an authority as defined in
4 75-6-304.

5 (7) "Private person" means an individual, corporation, partnership, or other nongovernmental legal entity.

6 (8) "Program" means the water pollution control state revolving fund program established by this part.

7 (9) "Project" means an activity that is eligible for financing by the program under the federal act, including treatment works, as defined under section
8 1292 of the federal act (33 U.S.C. 1292), and nonpoint source pollution control under section 1329 of the federal act (33 U.S.C. 1329), and for which a
9 municipality or private person makes an application for a loan or other financial assistance.

10 (10) "Revolving fund" means the fund established by 75-5-1106."

11

12 **Section 17.** Section 75-5-1107, MCA, is amended to read:

13 **"75-5-1107. Uses of revolving fund. (1)** Money in the revolving fund must be used to:

14 ~~(1)~~(a) make loans to municipalities to finance all or a portion of the cost of a project and to make loans to private persons to finance all or a portion
15 of the cost of nonpoint source pollution control projects;

16 ~~(2)~~(b) buy or refinance debt obligations of municipalities that were issued to finance projects within the state at or below market rates, provided
17 that the obligations were incurred after March 7, 1985;

18 ~~(3)~~(c) guarantee or purchase insurance for obligations of municipalities that were issued to finance projects in order to enhance credit or reduce
19 interest rates;

20 ~~(4)~~(d) provide a source of revenue or security for general obligation bonds the proceeds of which are deposited in the revolving fund;

21 ~~(5)~~(e) provide loan guarantees for similar revolving funds established by municipalities;

1 ~~(6)(f)~~ earn interest on fund accounts; and

2 ~~(7)(g)~~ pay reasonable administrative costs of the program not to exceed 4% of all federal grant awards to the fund or the maximum amount allowed

3 under the federal act.

4 (2) Money received by the state under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, as capitalization grants for a
5 state revolving fund may be used by the department or the department of natural resources and conservation to provide additional subsidization to eligible
6 recipients in the form of forgiveness of the principal of a loan to the extent permitted or required by federal law and subject to satisfaction of conditions on
7 loans described in 75-5-1113."

8
9 **Section 18.** Section 75-6-202, MCA, is amended to read:

10 **"75-6-202. Definitions.** Unless the context requires otherwise, in this part, the following definitions apply:

11 (1) "Administrative costs" means costs incurred by the department and the department of natural resources and conservation in the administration
12 of the program, including but not limited to:

13 (a) costs of servicing loans and issuing debt;

14 (b) program startup costs;

15 (c) financial, management, and legal consulting fees; and

16 (d) reimbursement costs for support services from other state agencies.

17 (2) "Community water system" means a public water system that is owned by a private person or a municipality and that serves at least 15 service
18 connections used by year-round residents of the area served by the system or regularly serves at least 25 year-round residents. The term does not include
19 a public water system that is owned by the federal government.

20 (3) "Cost" means, with reference to a project, all capital costs incurred or to be incurred for a public water system, including but not limited to:

21 (a) engineering, financing, and other fees;

1 (b) interest during construction;

2 (c) construction; and

3 (d) a reasonable allowance for contingencies to the extent permitted by the federal act and rules promulgated under the federal act.

4 (4) "Department" means the department of environmental quality provided for in 2-15-3501.

5 (5) "Disadvantaged community" means one in which the service area of a public water system meets the affordability criteria established by rule

6 adopted pursuant to this part.

7 (6) "Federal act" means the federal Safe Drinking Water Act, 42 U.S.C. 300f, et seq., as that act read on May 5, 1997, and including conditions

8 and exclusions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

9 (7) "Indian tribe" means an Indian tribe that has a federally recognized governing body carrying out substantial governmental duties and powers

10 over any area.

11 (8) "Intended use plan" means the annual plan adopted by the department and submitted to the environmental protection agency that describes

12 how the state intends to use the money in the revolving fund.

13 (9) "Loan" means a loan of money from the revolving fund for project costs.

14 (10) "Municipality" means a state agency, city, town, or other public body, including an authority as defined in 75-6-304, created pursuant to state

15 law or an Indian tribe.

16 (11) "Noncommunity water system" means a public water system that is not a community water system.

17 (12) "Nonprofit noncommunity water system" means a noncommunity water system owned by an organization that is organized under Montana

18 law and that qualifies as a tax-exempt organization under the provisions of section 501(c)(3) of the Internal Revenue Code.

19 (13) "Private person" means an individual, corporation, partnership, or other nongovernmental legal entity.

20 (14) "Program" means the drinking water state revolving fund program established by this part.

21 (15) "Project" means improvements or activities that are:

(a) to be undertaken for a public water system and that are of a type that will facilitate compliance with the national primary drinking water regulations applicable to the system; or

(b) to further the health protection objectives of the federal act.

(16) "Public water system" means a system for the provision to the public of water for human consumption, through pipes or other constructed conveyances, if that system has at least 15 service connections or regularly serves at least 25 individuals. The term includes any collection, treatment, storage, and distribution facilities under control of an operator of a system that are used primarily in connection with a system and any collection or pretreatment storage facilities not under control of an operator and that are used primarily in connection with a system.

(17) "Revolving fund" means the drinking water state revolving fund established by 75-6-211."

Section 19. Section 75-6-226, MCA, is amended to read:

"75-6-226. Loan subsidy for disadvantaged communities. (1) Notwithstanding any other provision in this part, if the program makes a loan pursuant to 75-6-221(1) to a disadvantaged community or to a community that the department expects to become a disadvantaged community as a result of a proposed project, the department may provide additional subsidization in the form of a reduced interest rate, the forgiveness of principal, or a combination of both.

(2) The total annual amount of loan subsidies made by the department pursuant to subsection (1) may not exceed 30% of the capitalization grant received by the department for each fiscal year.

(3) Notwithstanding any other provision in this part, money received by the state under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, as capitalization grants for a state revolving fund may be used by the department or the department of natural resources and conservation to provide additional subsidization to eligible recipients in the form of forgiveness of the principal of a loan to the extent permitted or required by federal law and subject to satisfaction of conditions on loans described in 75-6-224."

test

1 **Section 20.** Section 75-25-101, MCA, is amended to read:

2 **"75-25-101. Alternative energy revolving loan account.** (1) There is a special revenue account called the alternative energy revolving loan
3 account to the credit of the department of environmental quality.

4 (2) The alternative energy revolving loan account consists of money deposited into the account from air quality penalties from 75-2-401 and
5 75-2-413 and money from any other source. Any interest earned by the account and any interest that is generated from a loan repayment must be
6 deposited into the account and used to sustain the program.

7 (3) Funds from the alternative energy revolving loan account may be used to provide loans to individuals, small businesses, units of local
8 government, units of the university system, and nonprofit organizations for the purpose of building alternative energy systems, as defined in 15-32-102:

9 (a) to generate energy for their own use;

10 (b) for net metering as defined in 69-8-103; and

11 (c) for capital investments by those entities for energy conservation purposes, as defined in 15-32-102, when done in conjunction with an
12 alternative energy system.

13 (4) (a) The Except as provided in subsection (4)(b), the amount of a loan may not exceed \$40,000, and the loan must be repaid within 10 years.

14 (b) For loans made using money obtained by the department of environmental quality from the federal government under the American
15 Reinvestment and Recovery RECOVERY AND REINVESTMENT Act of 2009, Public Law 111-5, the amount of a loan may not exceed \$100,000 and the loan
16 must be repaid within 15 years. The department may establish a loan limit of less than \$100,000 based on the amount of money received from the federal
17 government and the department's projected number of applications and application amounts."
18

19 **Section 21.** Section 75-25-102, MCA, is amended to read:

20 **"75-25-102. Administration of revolving loan account -- rulemaking authority.** (1) The department of environmental quality shall adopt rules
21 establishing:

(a) eligibility criteria, including criteria for defining residences, small businesses, and nonprofit organizations, criteria for defining capital investments for energy conservation purposes, ownership of the alternative energy facility, financial capacity to repay the loans, estimated return on investment in the alternative energy and energy conservation, and other matters that the department considers necessary to ensure repayment of loans and to encourage maximum use of the fund for alternative energy and net metering uses;

(b) processes and procedures for disbursing loans, including the agencies or organizations that are allowed to process the loan application for the department; and

(c) terms and conditions for the loans, including repayment schedules and interest.

(2) The department shall solicit assistance in the development and operation of the program from individuals familiar with financial services and persons knowledgeable in alternative energy systems.

(3) Administrative costs charged to the account may not exceed 10% of the total loans or \$23,000 a year, whichever is greater. Legal fees and costs associated with collection of debt on principal are not considered administrative costs.

(4) ~~The loan repayment period may not exceed 10 years.~~ The loans must be made at a low interest rate. The department may set the interest rate at an amount that will cover its administrative costs, but the rate may not be less than 1% a year. The department may seek recovery of the amount of principal loaned in the event of default."

SECTION 22. SECTION 90-1-204, MCA, IS AMENDED TO READ:

"90-1-204. Priorities for funding -- rulemaking. (1) The department must receive proposals for grants and loans from local governments. A local government shall work with an economic development organization on a proposal. The department shall work with the local government and the economic development organization in preparing cost estimates for a proposed project. In reviewing proposals, the department may consult with other state agencies with expertise pertinent to the proposal.

(2) (a) The department shall adopt rules necessary to implement the big sky economic development program. In adopting rules, the department

1 shall look to the rules adopted for the treasure state endowment program and other similar state programs. To the extent feasible, the department shall
2 make the rules compatible with those other programs. To the extent feasible, the department shall employ an approach pertaining to the use of funds so
3 that, except as provided in subsection (2)(b), the needs of rural areas are balanced with the needs of the state's urban centers.

4 (b) For high-poverty counties, the department shall employ an approach pertaining to the use of funds that is intended to lower poverty levels in
5 the county to a percentage at which the county no longer is defined as a high-poverty county.

6 (c) The rules must provide for the types of uses of funds available under the big sky economic development program. The types of uses of funds
7 by:

8 (i) local governments include but are not limited to:

9 (A) a reduction in the interest rate of a commercial loan for the expansion of a basic sector company;

10 (B) a grant or low-interest loan for relocation expenses for a basic sector company; and

11 (C) rental assistance or lease buy-downs for a relocation or expansion project for a basic sector company;

12 (ii) a certified regional development corporation include:

13 (A) support for business improvement districts and central business district redevelopment;

14 (B) industrial development;

15 (C) feasibility studies;

16 (D) creation and maintenance of baseline community profiles; and

17 (E) matching funds for federal funds, including but not limited to brownfields funds and natural resource damage funds.

18 (d) (i) The rules must provide for distribution methods for financial assistance available to local governments. ~~The~~ Except for local government
19 projects specifically authorized in [House Bill No. 645], the rules must provide for distribution based upon the number of jobs expected to be created
20 because of the funding.

21 (ii) ~~Funding~~ Except for local government projects specifically authorized in [House Bill No. 645], funding may not exceed \$5,000 for each expected

1 job, except that funding for a project in a high-poverty county may not exceed \$7,500 for each expected job.

2 (iii) ~~The Except for local government projects specifically authorized in [House Bill No. 645], the rules must require equal matching funds for a grant~~
3 or loan, except that the rules for a grant or a loan in a high-poverty county may allow a 50% to 100% match requirement for the high-poverty county.

4 (e) ~~The Except for local government projects specifically authorized in [House Bill No. 645], the rules may provide for greater incentives for a~~
5 high-poverty county.

6 (f) ~~The Except for local government projects specifically authorized in [House Bill No. 645], the rules must provide for the full or partial repayment~~
7 of a grant if the new jobs or some of the new jobs for which a grant is given are not created.

8 (g) ~~A Except for local government projects specifically authorized in [House Bill No. 645], a grant or loan may be made only for a new job that has~~
9 an average weekly wage that meets or exceeds the current average weekly wage of the county in which the employees are to be principally employed."

10

11 NEW SECTION. SECTION 23. EARNINGS -- STATUTORY APPROPRIATION. IF THE FEDERAL GOVERNMENT DIRECTS THAT FUNDS RECEIVED UNDER THE
12 AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, PUBLIC LAW 111-5, MUST BE INVESTED AND THAT THE EARNINGS MUST BE EXPENDED FOR THE SAME
13 PURPOSE AS THE FUNDS GENERATING THE EARNINGS, THEN THE EARNINGS ARE STATUTORILY APPROPRIATED, AS PROVIDED IN 17-7-502, FOR THE SAME PURPOSE
14 AS THE FUNDS GENERATING THE EARNINGS.

15

16 NEW SECTION. SECTION 24. DISSEMINATION OF INFORMATION -- REPORTING AND ACCOUNTABILITY. THE OFFICE OF
17 THE GOVERNOR SHALL DEVELOP AND MAINTAIN A WEBSITE TO SERVE AS THE OFFICIAL WEBSITE FOR THE STATE OF MONTANA FOR IMPLEMENTING THE REPORTING AND
18 ACCOUNTABILITY REQUIREMENTS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, PUBLIC LAW 111-5. THE OFFICE SHALL DEVELOP REQUIREMENTS
19 FOR REPORTING AND POSTING INFORMATION TO THE WEBSITE, AND THESE REQUIREMENTS ARE APPLICABLE TO ANY RECIPIENT OF FUNDS FROM AN APPROPRIATION
20 IN HOUSE BILL NO. 645.

21

1 NEW SECTION. SECTION 25. DISTRESSED WOOD PRODUCTS INDUSTRY RECOVERY PROGRAM -- FINDINGS -- LOANS AND GRANTS -- RULEMAKING. (1) DUE

2 TO THE CURRENT, WELL-DOCUMENTED DECLINE IN THE WOOD PRODUCTS INDUSTRY IN MONTANA, THE LEGISLATURE FINDS THAT THERE IS A NEED TO ASSIST THE
3 MONTANA WOOD PRODUCTS INDUSTRY AS A WHOLE THROUGH A MULTIFACETED AND INTEGRALLY RELATED GRANT AND LOAN PROGRAM.

4 (2) BUSINESSES THAT MAY BE ELIGIBLE UNDER THE PROGRAM FOR LOANS, GRANTS, OR LOANS AND GRANTS INCLUDE BUT ARE NOT LIMITED TO SAWMILLS,
5 PLYWOOD PLANTS, PAPER AND LINERBOARD MANUFACTURERS, BARK AND BYPRODUCTS-RELATED BUSINESSES, ROUND WOOD PRODUCERS, WOOD CHIP PROCESSORS,
6 LOGGERS, LOG HAULERS, BIOCHAR AND BIOMASS PRODUCERS, AND OTHER INNOVATIVE MANUFACTURERS AND PROCESSORS OF WOOD PRODUCTS.

7 (3) (A) THE DEPARTMENT OF COMMERCE SHALL USE MONEY APPROPRIATED FOR THE DISTRESSED WOOD PRODUCTS INDUSTRY TO IMPLEMENT THE PROGRAM.

8 (B) MONEY APPROPRIATED TO THE DEPARTMENT OF COMMERCE MAY BE USED BY THE DEPARTMENT TO, AMONG OTHER THINGS:

9 (I) PROVIDE STATE MATCHING FUNDS TO FEDERAL AGENCIES TO CREATE LOAN OR GRANT PROGRAMS THAT WILL BENEFIT THE TYPES OF BUSINESSES LISTED
10 IN SUBSECTION (2), INCLUDING THE COMMINGLING OF APPROPRIATED FUNDS WITH FEDERAL FUNDS AS NEEDED TO MEET FEDERAL REGULATIONS AND GRANT
11 REQUIREMENTS; AND

12 (II) PROVIDE LOANS, GRANTS, OR BOTH LOANS AND GRANTS TO THE TYPES OF BUSINESSES LISTED IN SUBSECTION (2).

13 (C) REPAYMENTS OF LOANS TO THE DEPARTMENT OF COMMERCE MAY BE USED BY THE DEPARTMENT AS REVOLVING LOAN FUNDS FOR PRIMARY SECTOR
14 BUSINESS THROUGHOUT THE STATE.

15 (4) THE DEPARTMENT OF COMMERCE MAY ADOPT RULES NECESSARY TO IMPLEMENT THE PROGRAM. RULES ADOPTED BY THE DEPARTMENT MUST BE BASED
16 UPON SIMILAR FINANCE PROGRAMS ADMINISTERED BY THE DEPARTMENT AND MUST INCLUDE:

17 (A) SUFFICIENT BUSINESS PLAN AND FINANCIAL INFORMATION TO ALLOW A REASONABLE DETERMINATION REGARDING THE POTENTIAL FEASIBILITY OF THE
18 BUSINESS TO CREATE AND RETAIN JOBS AND, IN THE CASE OF LOANS, TO MAKE REPAYMENTS TO THE DEPARTMENT;

19 (B) ANNUAL INFORMATION FROM EACH ASSISTED BUSINESS FOR THE TERM OF THE GRANT OR LOAN AGREEMENT REGARDING JOBS CREATED AND RETAINED,
20 PAY LEVELS, FINANCIAL STATUS, AND REPORTS ON OVERALL PROJECT ACTIVITIES; AND

21 (C) LOAN AND GRANT AMOUNTS FOR EACH JOB, FUNDING LIMITS, AND MATCHING FUND REQUIREMENTS.

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NEW SECTION. SECTION 26. RULEMAKING. THE DEPARTMENT OF COMMERCE MAY ADOPT RULES TO IMPLEMENT THE WORKER TRAINING PROGRAM AND

3

THE BROADBAND MATCHING GRANT PROGRAM FUNDED IN [HOUSE BILL NO. 645].

4

5

NEW SECTION. SECTION 27. COUNTY PROJECTS -- ALLOCATION OF FUNDS. THE APPROPRIATION IN [SECTION 51] FOR COUNTY PROJECTS MUST BE

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ALLOCATED AS PROVIDED IN THIS SECTION AND MUST BE USED ONLY FOR THE INDICATED PURPOSE. COUNTY PROJECT FUNDS MUST BE ALLOCATED AS FOLLOWS:

7

BEAVERHEAD \$199,902

COUNTY COURTHOUSE REPAIR

8

BIG HORN \$195,663

LITTLE HORN ROAD RECONSTRUCTION

9

BLAINE \$187,422

COUNTY BUILDING IMPROVEMENTS

10

BROADWATER \$138,301

COUNTY ROAD CHIP SEAL

11

CARBON \$157,060

WEST FORK ROAD EXPANSION

12

CARTER \$144,862

GRAVEL CRUSHING

13

CASCADE \$247,092

COUNTY BUILDING ENERGY PERFORMANCE CONTRACT

14

CHOUTEAU \$194,862

COUNTY ROAD REPAIR AND RECONSTRUCTION

15

CUSTER \$157,596

COUNTY ROAD AND BUILDINGS: SILO LOOP ROAD \$42,596; PINE HILLS IMPROVEMENT \$85,000; COUNTY

16

BUILDING REPAIR AND REMODEL \$30,000

17

DANIELS \$134,923

COUNTY ROAD GRAVEL SCREENING/CRUSHING

18

DAWSON \$161,231

COUNTY BUILDING REPAIR/REMODEL/CONSTRUCTION

19

DEER LODGE \$128,973

ENERGY UPGRADES AND RENOVATION OF CITY HALL

20

FALLON \$135,369

COUNTY ROAD AND PARKS SHOP BUILDING

21

FERGUS \$191,553

SCOTT CROSSING BRIDGE REPLACEMENT

743

1	<u>FLATHEAD</u>	<u>\$429,261</u>	<u>MENNONITE CHURCH AND CRESTON ROADS CONSTRUCTION</u>
2	<u>GALLATIN</u>	<u>\$302,907</u>	<u>FAIRGROUNDS RESTROOM CONSTRUCTION AND REPLACEMENT</u>
3	<u>GARFIELD</u>	<u>\$159,808</u>	<u>COUNTY BUILDING HEATING/COOLING SYSTEM REPLACEMENT</u>
4	<u>GLACIER</u>	<u>\$180,677</u>	<u>GLACIER COUNTY JAIL/DETENTION CENTER</u>
5	<u>GOLDEN VALLEY</u>	<u>\$123,455</u>	<u>FIRE HALL AND ROADS: GOLDEN VALLEY/RYEGATE FIRE HALL \$103,455; GOLDEN VALLEY ROADS \$20,000</u>
6	<u>GRANITE</u>	<u>\$139,211</u>	<u>METESCH LANE BRIDGE REPLACEMENT</u>
7	<u>HILL</u>	<u>\$195,921</u>	<u>SHEPPARD AND BULHOOK ROADS PAVEMENT OVERLAY</u>
8	<u>JEFFERSON</u>	<u>\$169,757</u>	<u>BOULDER SOUTH CAMPUS SEWER REPLACEMENT</u>
9	<u>JUDITH BASIN</u>	<u>\$143,967</u>	<u>REPLACE ARROW CREEK AND JUDITH RIVER BRIDGE: ARROW CREEK BRIDGE \$70,046; JUDITH RIVER</u>
10			<u>BRIDGE \$73,921</u>
11	<u>LAKE</u>	<u>\$226,694</u>	<u>SOUTH VALLEY CREEK BRIDGE REPLACEMENT \$160,000; SKYLINE BRIDGE REPAIR \$40,000;</u>
12			<u>COURTHOUSE WEATHERIZATION \$26,694</u>
13	<u>LEWIS AND CLARK</u>	<u>\$282,922</u>	<u>LEWIS AND CLARK COUNTY FAIRGROUNDS PLAZA</u>
14	<u>LIBERTY</u>	<u>\$139,405</u>	<u>LIBERTY SENIOR CENTER</u>
15	<u>LINCOLN</u>	<u>\$252,108</u>	<u>TOBACCO VALLEY INDUSTRIAL PARK INFRASTRUCTURE IMPROVEMENTS</u>
16	<u>MADISON</u>	<u>\$179,577</u>	<u>MADISON COUNTY OFFICE RENOVATION \$101,577; MADISON COUNTY BRIDGE IMPROVEMENT PROJECTS</u>
17			<u>\$78,000</u>
18	<u>MCCONE</u>	<u>\$148,210</u>	<u>GEOTHERMAL HEAT LOOP COURTHOUSE RETROFIT</u>
19	<u>MEAGHER</u>	<u>\$134,964</u>	<u>COUNTY BUILDING ENERGY EFFICIENCY AND HANDICAP ACCESSABILITY UPDATES</u>
20	<u>MINERAL</u>	<u>\$144,010</u>	<u>MINERAL COUNTY JAIL AND COURTHOUSE RESTORATION AND REPAIR</u>
21	<u>MISSOULA</u>	<u>\$319,667</u>	<u>BIG FLAT ROAD RECONSTRUCTION</u>

1	<u>MUSSELSHELL</u>	<u>\$139,793</u>	<u>GOFFENA BRIDGE REPLACEMENT</u>
2	<u>PARK</u>	<u>\$178,841</u>	<u>9TH STREET BRIDGE REPLACEMENT</u>
3	<u>PETROLEUM</u>	<u>\$125,061</u>	<u>COURTHOUSE WINDOWS, DOVETAIL CREEK CROSSING, AND PETROLEUM COUNTY ROAD UPGRADE:</u>
4			<u>ENERGY EFFICIENT COURTHOUSE WINDOWS RETROFIT \$5,000; DOVETAIL CREEK CROSSING \$5,000;</u>
5			<u>PETROLEUM COUNTY ROAD UPGRADE \$75,061</u>
6	<u>PHILLIPS</u>	<u>\$180,968</u>	<u>COURTHOUSE PARKING LOT AND SIDEWALK PROJECTS</u>
7	<u>PONDERA</u>	<u>\$149,520</u>	<u>PONDERA COUNTY COMMUNITY AND SENIOR CENTER REMODEL</u>
8	<u>POWDER RIVER</u>	<u>\$147,735</u>	<u>COUNTY ROAD RECONSTRUCTION AND GRAVEL</u>
9	<u>POWELL</u>	<u>\$148,555</u>	<u>ENERGY EFFICIENT WINDOWS AND BOILER FOR COUNTY COURTHOUSE</u>
10	<u>PRAIRIE</u>	<u>\$129,674</u>	<u>COUNTY FAIRGROUNDS GRANDSTAND REPLACEMENT \$80,000; TERRY PARK FACILITIES RENOVATION</u>
11			<u>\$49,674</u>
12	<u>RAVALLI</u>	<u>\$297,867</u>	<u>AMBROSE CREEK ROAD PAVEMENT PRESERVATION</u>
13	<u>RICHLAND</u>	<u>\$162,551</u>	<u>SPRING LAKE ROAD RECONSTRUCTION</u>
14	<u>ROOSEVELT</u>	<u>\$172,632</u>	<u>ENERGY EFFICIENT COURTHOUSE WINDOWS PROJECT</u>
15	<u>ROSEBUD</u>	<u>\$183,085</u>	<u>INGOMAR WATER AND SEWER PROJECT \$83,085; FORSYTH LIBRARY ELEVATOR PROJECT \$100,000</u>
16	<u>SANDERS</u>	<u>\$185,012</u>	<u>HIGH BRIDGE RECONSTRUCTION</u>
17	<u>SHERIDAN</u>	<u>\$152,144</u>	<u>COUNTY ROAD GRAVEL AND ENGINEERING: COUNTY ROAD GRAVEL CRUSHING \$137,144; PLENTYWOOD</u>
18			<u>BYPASS ROUTE \$15,000</u>
19	<u>SILVER BOW</u>	<u>\$127,965</u>	<u>COUNTY ROAD REPAIR AND MAINTENANCE</u>
20	<u>STILLWATER</u>	<u>\$167,535</u>	<u>COUNTY COURTHOUSE AND BRIDGE: STILLWATER COUNTY COURTHOUSE REPAIR AND RENOVATION</u>
21			<u>\$77,279; STILLWATER COUNTY BRIDGE \$90,256</u>

1	<u>SWEET GRASS</u>	<u>\$135,147</u>	<u>PIONEER MEDICAL CENTER RENOVATION</u>
2	<u>TETON</u>	<u>\$168,135</u>	<u>COUNTY NURSING HOME AND COUNTY ROAD GRAVEL: COUNTY NURSING HOME RENOVATION \$130,000;</u>
3			<u>COUNTY ROAD GRAVEL \$38,135</u>
4	<u>TOOLE</u>	<u>\$148,528</u>	<u>ENERGY EFFICIENT LIGHTING FOR TOOLE COUNTY HOSPITAL</u>
5	<u>TREASURE</u>	<u>\$115,141</u>	<u>COUNTY BUILDING RENOVATIONS: COMMUNITY CENTER \$20,100; COMMUNITY CENTER \$74,861;</u>
6			<u>COURTHOUSE ADA UPGRADE \$20,180</u>
7	<u>VALLEY</u>	<u>\$203,624</u>	<u>VALLEY COUNTY DETENTION CENTER ADDITION</u>
8	<u>WHEATLAND</u>	<u>\$124,649</u>	<u>COUNTY ROAD SHOP AND HARLOWTOWN FIRE HALL: COUNTY ROAD SHOP \$83,099; HARLOWTOWN FIRE</u>
9			<u>HALL \$41,550</u>
10	<u>WIBAUX</u>	<u>\$119,948</u>	<u>COUNTY FAIRGROUNDS EXHIBIT BUILDING</u>
11	<u>YELLOWSTONE</u>	<u>\$288,560</u>	<u>CLAPPER FLAT AND VANDAVEER ROADS AND COURTHOUSE REMODEL: CLAPPER FLAT ROAD \$100,000;</u>
12			<u>VANDAVEER ROAD \$100,000; COURTHOUSE REMODEL \$88,560</u>
13			
14	<u>NEW SECTION. SECTION 28. MUNICIPAL PROJECTS -- ALLOCATION OF FUNDS.</u> THE APPROPRIATION IN [SECTION 51] FOR MUNICIPAL PROJECTS MUST BE		
15	ALLOCATED AS PROVIDED IN THIS SECTION AND MUST BE USED ONLY FOR THE INDICATED PURPOSE. MUNICIPAL PROJECT FUNDS MUST BE ALLOCATED AS FOLLOWS:		
16	<u>ALBERTON</u>	<u>\$13,397</u>	<u>STREET REPAIRS AND PAVING</u>
17	<u>ANACONDA-DEER LODGE</u>	<u>\$130,438</u>	<u>ENERGY UPGRADES AND RENOVATION OF CITY HALL</u>
18	<u>BAINVILLE</u>	<u>\$11,259</u>	<u>SIMARD PARK IMPROVEMENTS -- SPRINKLER SYSTEMS AND SIDEWALKS</u>
19	<u>BAKER</u>	<u>\$40,504</u>	<u>STORM DRAIN INSTALLATION ON SOUTH MONTANA 7 AND SECONDARY 322</u>
20	<u>BEARCREEK</u>	<u>\$7,578</u>	<u>TOWN HALL RENOVATION AND REPAIRS</u>
21	<u>BELGRADE</u>	<u>\$131,883</u>	<u>STREET INTERSECTION RECONSTRUCTION AND SIDEWALK EXTENSION</u>

1	<u>BELT</u>	<u>\$16,384</u>	<u>REPLACE CONCRETE WATER STORAGE TANK</u>
2	<u>BIG SANDY</u>	<u>\$20,619</u>	<u>SEWER MAIN REPLACEMENT AND RESURFACE JOHANNES AVENUE</u>
3	<u>BIG TIMBER</u>	<u>\$41,057</u>	<u>ANDERSON STREET ASPHALT OVERLAY PROJECT</u>
4	<u>BILLINGS</u>	<u>\$1,676,045</u>	<u>RECONSTRUCTION ALKALI CREEK ROAD</u>
5	<u>BOULDER</u>	<u>\$33,298</u>	<u>WATER SYSTEM TREATMENT PROJECT</u>
6	<u>BOZEMAN</u>	<u>\$621,404</u>	<u>WATER SYSTEM TREATMENT PROJECT; WATER RECLAMATION FACILITY -- WATER TREATMENT PLANT</u>
7			<u>DESIGN; RECREATION FACILITY IMPROVEMENTS; SIDEWALKS AND RESTROOM UPGRADES IN PARKS;</u>
8			<u>DEBRIS REMOVAL</u>
9	<u>BRIDGER</u>	<u>\$20,642</u>	<u>STREET AND SIDEWALK REPAIRS</u>
10	<u>BROADUS</u>	<u>\$16,072</u>	<u>ADDITION TO CITY HALL FOR POLICE DEPARTMENT AND SEWER LAGOON REPAIRS</u>
11	<u>BROADVIEW</u>	<u>\$8,954</u>	<u>GENERAL REPAIRS AND MAINTENANCE</u>
12	<u>BROCKTON</u>	<u>\$9,836</u>	<u>WASTEWATER SYSTEM REPAIRS AND STREET AND ALLEY REPAIRS</u>
13	<u>BROWNING</u>	<u>\$24,148</u>	<u>NEW FIRE HALL</u>
14	<u>BUTTE-SILVER BOW</u>	<u>\$556,425</u>	<u>ROAD REPAIRS AND MAINTENANCE</u>
15	<u>CASCADE</u>	<u>\$19,869</u>	<u>ONE BLOCK SEWER MAIN REPLACEMENT</u>
16	<u>CHESTER</u>	<u>\$22,690</u>	<u>CHIP SEAL TOWN STREETS</u>
17	<u>CHINOOK</u>	<u>\$31,885</u>	<u>CITY HALL REPAIR AND IMPROVEMENTS AND PAINT ARMORY BUILDING</u>
18	<u>CHOTEAU</u>	<u>\$44,091</u>	<u>CITY HALL-FIRE STATION REMODEL AND REPLACE UNIT HEATERS IN PAVILION BUILDING</u>
19	<u>CIRCLE</u>	<u>\$19,420</u>	<u>PURCHASE STREET PATCHER EQUIPMENT AND SEWER TREATMENT PLANT</u>
20	<u>CLYDE PARK</u>	<u>\$12,832</u>	<u>CONSTRUCTION OF LATHROP STREET</u>
21	<u>COLSTRIP</u>	<u>\$47,276</u>	<u>ORCHARD LIFT STATION REPLACEMENT</u>

1	<u>COLUMBIA FALLS</u>	<u>\$90,832</u>	<u>STREET CONSTRUCTION AND IMPROVEMENTS</u>
2	<u>COLUMBUS</u>	<u>\$44,373</u>	<u>REPLACE CURB, GUTTER, AND SIDEWALK ON PIKE AVENUE</u>
3	<u>CONRAD</u>	<u>\$54,770</u>	<u>REPLACE HYDRANTS AND VALVES AND OVERLAY DAKOTA STREET</u>
4	<u>CULBERTSON</u>	<u>\$20,255</u>	<u>ARCHITECTURE DESIGN OF NEW FIRE HALL</u>
5	<u>CUT BANK</u>	<u>\$62,063</u>	<u>FINAL ENGINEERING AND DESIGN WORK FOR RAILROAD STREET</u>
6	<u>DARBY</u>	<u>\$20,008</u>	<u>WATER SYSTEM IMPROVEMENT PROJECT</u>
7	<u>DEER LODGE</u>	<u>\$70,086</u>	<u>PHASE 1 SEWER REHABILITATION COLLECTION SYSTEM</u>
8	<u>DENTON</u>	<u>\$12,524</u>	<u>WATER-SEWER UPGRADES, BUILDING REPAIRS, AND STREET REPAIRS</u>
9	<u>DILLON</u>	<u>\$78,244</u>	<u>GLENDALE STREET PROJECT</u>
10	<u>DODSON</u>	<u>\$8,579</u>	<u>STREET REPAIRS</u>
11	<u>DRUMMOND</u>	<u>\$11,830</u>	<u>STREET REPAIRS AND PARK MAINTENANCE</u>
12	<u>DUTTON</u>	<u>\$13,855</u>	<u>CITY PARK IMPROVEMENTS</u>
13	<u>EAST HELENA</u>	<u>\$43,300</u>	<u>RENOVATE CITY HALL</u>
14	<u>EKALAKA</u>	<u>\$15,477</u>	<u>BRIDGE AND STREET REPAIR</u>
15	<u>ENNIS</u>	<u>\$24,703</u>	<u>TOWN HALL EXPANSION AND REMODEL PROJECT</u>
16	<u>EUREKA</u>	<u>\$24,803</u>	<u>REPAIR MAIN ARTERIAL ROAD</u>
17	<u>FAIRFIELD</u>	<u>\$18,389</u>	<u>DESIGN AND ERECT NEW FIRE HALL, TELEWISE SEWER LINES, AND REPLACE HYDRANTS</u>
18	<u>FAIRVIEW</u>	<u>\$22,524</u>	<u>PARK BATHROOMS RENOVATION</u>
19	<u>FLAXVILLE</u>	<u>\$7,652</u>	<u>WATER STORAGE TANK REPAIRS</u>
20	<u>FORSYTH</u>	<u>\$45,126</u>	<u>WATER STORAGE TANK AND WATER WORKS REPAIRS</u>
21	<u>FORT BENTON</u>	<u>\$39,975</u>	<u>CHIP SEAL CITY STREETS, U.S. HIGHWAY 87 REPAIRS, AND AIRPORT RUNWAY IMPROVEMENTS</u>

1	<u>FORT PECK</u>	<u>\$13,156</u>	<u>REPLACE AGING FIRE HYDRANTS</u>
2	<u>FROID</u>	<u>\$11,174</u>	<u>WATER STORAGE RESERVOIR REPLACEMENT</u>
3	<u>FROMBERG</u>	<u>\$14,368</u>	<u>STREET AND SIDEWALK REPAIRS</u>
4	<u>GERALDINE</u>	<u>\$12,701</u>	<u>MAIN SEWER LINE EXTENSION</u>
5	<u>GLASGOW</u>	<u>\$61,137</u>	<u>REHABILITATE SOUTHSIDE LIFT STATION</u>
6	<u>GLENDIVE</u>	<u>\$89,710</u>	<u>STREET RECONSTRUCTION</u>
7	<u>GRASS RANGE</u>	<u>\$8,768</u>	<u>WATER, SEWER, AND STREET REPAIRS</u>
8	<u>GREAT FALLS</u>	<u>\$975,637</u>	<u>WEST BANK STREET AND RIGHT-OF-WAY IMPROVEMENT AND CIVIC CENTER ROOF REPAIR</u>
9	<u>HAMILTON</u>	<u>\$86,900</u>	<u>TENTH STREET RECONSTRUCTION</u>
10	<u>HARDIN</u>	<u>\$67,908</u>	<u>NEW FIRE HALL</u>
11	<u>HARLEM</u>	<u>\$21,164</u>	<u>CITY HALL RENOVATION AND WEATHERIZATION AND STREET MAINTENANCE</u>
12	<u>HARLOWTON</u>	<u>\$25,565</u>	<u>REPLACE SIDEWALKS AND INSTALL HANDICAPPED CURBS</u>
13	<u>HAVRE</u>	<u>\$165,970</u>	<u>NEW LIFT STATION AND RECOAT CONCRETE WATER TANK</u>
14	<u>HELENA</u>	<u>\$504,707</u>	<u>CENTENNIAL PARK TRAIL SYSTEM CONSTRUCTION</u>
15	<u>HINGHAM</u>	<u>\$9,704</u>	<u>SEWER PROJECT, STREET AND SIDEWALK REPAIRS, AND FIRE HYDRANTS</u>
16	<u>HOBSON</u>	<u>\$11,506</u>	<u>EXTEND WATER TO BOULEVARD ON MAIN STREET</u>
17	<u>HOT SPRINGS</u>	<u>\$18,326</u>	<u>REMODEL FIRE HALL AND REPAIR STREETS</u>
18	<u>HYSHAM</u>	<u>\$12,182</u>	<u>OVERLAY TOWN STREETS</u>
19	<u>ISMAY</u>	<u>\$7,064</u>	<u>GENERAL REPAIRS AND MAINTENANCE</u>
20	<u>JOLIET</u>	<u>\$16,083</u>	<u>SEWER AND WATER IMPROVEMENTS</u>
21	<u>JORDAN</u>	<u>\$14,548</u>	<u>IMPROVE EXISTING STREETS</u>

1	<u>JUDITH GAP</u>	<u>\$9,295</u>	<u>FOURTH AVENUE STREET IMPROVEMENTS</u>
2	<u>KALISPELL</u>	<u>\$342,370</u>	<u>STREET PROJECTS</u>
3	<u>KEVIN</u>	<u>\$10,823</u>	<u>DRAINAGE, CULVERT, AND ROAD REPAIRS</u>
4	<u>LAUREL</u>	<u>\$118,788</u>	<u>OPEN DITCH MITIGATION NEAR MIDDLE SCHOOL</u>
5	<u>LAVINA</u>	<u>\$10,753</u>	<u>INSTALL NEW WATER SYSTEM</u>
6	<u>LEWISTOWN</u>	<u>\$117,648</u>	<u>CHIP SEAL STREETS</u>
7	<u>LIBBY</u>	<u>\$58,276</u>	<u>SEWER MAIN EXTENSION TO CABINET HEIGHTS</u>
8	<u>LIMA</u>	<u>\$11,955</u>	<u>REGRAVEL STREETS AND PARK SHELTER</u>
9	<u>LIVINGSTON</u>	<u>\$136,279</u>	<u>SAFETY AND BUILDING REPAIRS TO SACAJAWEA PARK AND REPAIRS TO SIDEWALKS AND STREETS</u>
10	<u>LODGE GRASS</u>	<u>\$15,187</u>	<u>SEWER LAGOON</u>
11	<u>MALTA</u>	<u>\$42,923</u>	<u>WATER AND SEWER LINE REPAIRS AND MAINTENANCE AND STREET PAVING AND REPAIRS</u>
12	<u>MANHATTAN</u>	<u>\$36,536</u>	<u>SIDEWALK EXTENSIONS, REPAIRS, AND MAINTENANCE</u>
13	<u>MEDICINE LAKE</u>	<u>\$12,088</u>	<u>SEWER LAGOON MAINTENANCE, WATER TOWER, AND WATERWORKS REPAIRS</u>
14	<u>MELSTONE</u>	<u>\$9,245</u>	<u>INSTALL FIRE HYDRANTS; WATER AND SEWER INSTALLATION TO COMMUNITY CENTER; AND SIDEWALKS,</u>
15			<u>CURBS, AND GUTTERS</u>
16	<u>MILES CITY</u>	<u>\$157,904</u>	<u>STORMWATER SYSTEM SEDIMENT REMOVAL; DEBRIS REMOVAL</u>
17	<u>MISSOULA</u>	<u>\$1,074,759</u>	<u>ADA SIDEWALK RAMPS AND NORTH HIGGINS STREETSCAPE</u>
18	<u>MOORE</u>	<u>\$10,877</u>	<u>STREET REPAIRS AND CAPITAL IMPROVEMENTS</u>
19	<u>NASHUA</u>	<u>\$13,631</u>	<u>SEWER AND WATER MAIN REPLACEMENTS</u>
20	<u>NEIHART</u>	<u>\$7,739</u>	<u>STREETS AND CAPITAL IMPROVEMENTS</u>
21	<u>OPHEIM</u>	<u>\$9,207</u>	<u>WATER SYSTEM AND GENERAL REPAIRS</u>

1	<u>OUTLOOK</u>	<u>\$7,988</u>	<u>CONNECT WATER SYSTEM TO NEW WELL</u>
2	<u>PHILIPSBURG</u>	<u>\$26,234</u>	<u>REPLACE WATER AND SEWER LINES</u>
3	<u>PINESDALE</u>	<u>\$21,284</u>	<u>CAPITAL IMPROVEMENTS AND REPAIRS</u>
4	<u>PLAINS</u>	<u>\$27,846</u>	<u>CITY HALL RENOVATIONS INCLUDING ADA BATHROOMS AND FURNACE AND AIR CONDITIONING</u>
5	<u>PLENTYWOOD</u>	<u>\$39,352</u>	<u>ENGINEERING STUDY OF WASTEWATER TREATMENT SYSTEM, REPLACE SIDEWALK AT CITY HALL AND ADD</u>
6			<u>GUTTER SYSTEM, AND CHIP SEAL STREETS</u>
7	<u>PLEVNA</u>	<u>\$9,154</u>	<u>CULVERT AND DRAINAGE IMPROVEMENTS AND CHIP SEAL STREETS</u>
8	<u>POLSON</u>	<u>\$94,816</u>	<u>RIVERSIDE WATER MAIN REPLACEMENT</u>
9	<u>POPLAR</u>	<u>\$21,571</u>	<u>STREET REPAIRS AFTER WATER LINE INSTALLATION</u>
10	<u>RED LODGE</u>	<u>\$53,688</u>	<u>ROOF REPAIRS ON CITY HALL AND POLICE STATION</u>
11	<u>REXFORD</u>	<u>\$7,854</u>	<u>COMMUNITY CENTER SIDING AND REPAIRS</u>
12	<u>RICHEY</u>	<u>\$10,567</u>	<u>ROAD REPAIRS AND MAINTENANCE</u>
13	<u>RONAN</u>	<u>\$41,463</u>	<u>REPAIR AND OVERLAY THIRD AVENUE NORTHWEST</u>
14	<u>ROUNDUP</u>	<u>\$46,586</u>	<u>CURBS, GUTTERS, AND SIDEWALKS ON SECOND AVENUE EAST</u>
15	<u>RYEGATE</u>	<u>\$12,138</u>	<u>CITY PARK IMPROVEMENTS</u>
16	<u>SACO</u>	<u>\$11,102</u>	<u>STREET REPAIRS AND MAINTENANCE</u>
17	<u>SAINT IGNATIUS</u>	<u>\$21,269</u>	<u>STREET PAVING AND PEDESTRIAN PATH AND OTHER PARK REPAIRS</u>
18	<u>SCOBEE</u>	<u>\$27,169</u>	<u>WEATHERIZE CITY HALL</u>
19	<u>SHELBY</u>	<u>\$77,585</u>	<u>STREET REPAIRS</u>
20	<u>SHERIDAN</u>	<u>\$18,747</u>	<u>STREET REPAIRS AND MAINTENANCE</u>
21	<u>SIDNEY</u>	<u>\$96,526</u>	<u>TWENTY-SECOND AVENUE NORTHWEST RECONSTRUCTION</u>

1	<u>STANFORD</u>	<u>\$15,630</u>	<u>STREET INTERSECTION IMPROVEMENTS AND REPLACEMENTS</u>
2	<u>STEVENSVILLE</u>	<u>\$38,457</u>	<u>REPAIR AND REPLACE ROOF ON TOWN HALL COMPLEX BUILDING</u>
3	<u>SUNBURST</u>	<u>\$16,673</u>	<u>RESURFACE STREETS, ADA CURBS AND GUTTERS, AND OTHER STREET REPAIR</u>
4	<u>SUPERIOR</u>	<u>\$24,109</u>	<u>WATER CONSTRUCTION PHASE II, STREET REPAIRS, AND RENOVATE PARK BUILDINGS</u>
5	<u>TERRY</u>	<u>\$23,571</u>	<u>PARK IMPROVEMENTS</u>
6	<u>THOMPSON FALLS</u>	<u>\$34,730</u>	<u>STREET REPAIRS AND REPLACE WATER METERS WITH RADIO READ METERS</u>
7	<u>THREE FORKS</u>	<u>\$43,434</u>	<u>PAVE STREETS AND EQUIP PARKS AND RECREATION FACILITIES</u>
8	<u>TOWNSEND</u>	<u>\$41,340</u>	<u>BROADWAY SIDEWALK REPLACEMENT</u>
9	<u>TROY</u>	<u>\$23,328</u>	<u>CITY HALL RESTORATION</u>
10	<u>TWIN BRIDGES</u>	<u>\$13,847</u>	<u>PUBLIC WALKING PATH CONNECTING PARKS</u>
11	<u>VALIER</u>	<u>\$21,037</u>	<u>INSTALL WATER TANK, NEW WATER METERS, AND INSTALL WATER LINES AND TRUNKS</u>
12	<u>VIRGINIA CITY</u>	<u>\$11,859</u>	<u>REMODEL AND RELOCATE CITY HALL</u>
13	<u>WALKERVILLE</u>	<u>\$23,093</u>	<u>STREET IMPROVEMENTS</u>
14	<u>WEST YELLOWSTONE</u>	<u>\$31,130</u>	<u>WASTEWATER IMPROVEMENTS</u>
15	<u>WESTBY</u>	<u>\$9,048</u>	<u>RESURFACE STREETS</u>
16	<u>WHITE SULPHUR SPRINGS</u>	<u>\$29,462</u>	<u>PATCH AND REPAIR CITY STREETS</u>
17	<u>WHITEFISH</u>	<u>\$146,023</u>	<u>NEW EMERGENCY SERVICES BUILDING</u>
18	<u>WHITEHALL</u>	<u>\$26,781</u>	<u>NEW AMBULANCE BUILDING AND WASTEWATER IMPROVEMENTS; DEBRIS REMOVAL</u>
19	<u>WIBAUX</u>	<u>\$17,644</u>	<u>REMODEL PARK BATHROOM AS HANDICAPPED ACCESSIBLE</u>
20	<u>WINIFRED</u>	<u>\$9,708</u>	<u>DRAINAGE PROJECTS</u>
21	<u>WINNETT</u>	<u>\$11,507</u>	<u>STREET DRAINAGE IMPROVEMENTS</u>

1 WOLF POINT

\$52,535

GATE VALVE AND HYDRANT REPLACEMENT

2
3 NEW SECTION. SECTION 29. QUICK START ENERGY GRANTS. (1) THERE IS A QUICK START ENERGY PROGRAM WITHIN THE DEPARTMENT OF COMMERCE
4 FOR QUICK START ENERGY EFFICIENCY IMPROVEMENT GRANTS TO PUBLIC SCHOOL DISTRICTS FOR PROJECTS THAT PROVIDE LONG-TERM, COST-EFFECTIVE BENEFITS
5 TO SCHOOL FACILITIES.

6 (2) A PUBLIC SCHOOL DISTRICT MAY SUBMIT AN APPLICATION TO THE DEPARTMENT OF COMMERCE FOR QUICK START ENERGY EFFICIENCY IMPROVEMENT GRANT
7 FUNDING FOR:

8 (A) AN ENERGY AUDIT OR EVALUATION OF THE POTENTIAL FOR ENERGY SAVINGS IN A SCHOOL FACILITY BY A PREQUALIFIED ENERGY AUDITOR; OR

9 (B) ENERGY EFFICIENCY IMPROVEMENTS THAT ARE BASED ON AN ENERGY AUDIT OR EVALUATION AND THAT ARE EXPECTED TO ACHIEVE MEASURABLE ENERGY
10 EFFICIENCY TO A SCHOOL FACILITY AND COST SAVINGS TO THE PUBLIC SCHOOL DISTRICT.

11 (3) IN AWARDING GRANTS UNDER THIS SECTION, THE DEPARTMENT OF COMMERCE SHALL CONSIDER THE POTENTIAL FOR ENERGY SAVINGS IN A PUBLIC SCHOOL
12 FACILITY BASED ON THE AGE, ENERGY USE, FUNCTION, AND CONDITION OF THE BUILDING.

13 (4) THE DEPARTMENT OF COMMERCE MAY CONSULT WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE ARCHITECTURE AND ENGINEERING DIVISION
14 OF THE DEPARTMENT OF ADMINISTRATION IN THE REVIEW AND EVALUATION OF QUICK START GRANT APPLICATIONS.

15 (5) OF THE LINE ITEM APPROPRIATION FOR THE SCHOOL FACILITIES PROGRAM ADMINISTRATION AND GRANTS FOUND IN [SECTION 51], UP TO \$35 MILLION
16 MAY BE USED, AT THE DISCRETION OF THE DEPARTMENT OF COMMERCE, TO AWARD GRANTS UNDER THE QUICK START ENERGY PROGRAM. THE DEPARTMENT OF
17 COMMERCE SHALL DISTRIBUTE QUICK START FUNDS ON A REIMBURSEMENT BASIS FROM MAY 15, 2009, UNTIL SEPTEMBER 30, 2009. ANY QUICK START FUNDS NOT
18 OBLIGATED UNDER THIS SECTION FOR REIMBURSEMENT TO A PUBLIC SCHOOL DISTRICT BY SEPTEMBER 30, 2009, MUST BE USED AS PROVIDED IN [SECTION 51] FOR
19 THE SCHOOL FACILITIES PROGRAM ADMINISTRATION AND GRANTS LINE ITEM APPROPRIATION.

20 (6) THE DEPARTMENT OF COMMERCE SHALL COLLECT INFORMATION REGARDING THE COST SAVINGS TO PUBLIC SCHOOL DISTRICTS THAT MAKE ENERGY
21 EFFICIENCY IMPROVEMENTS BASED ON GRANT FUNDING RECEIVED UNDER SUBSECTION (2)(B).

1 (7) THE DEPARTMENT OF COMMERCE SHALL CONSULT WITH THE OFFICE OF PUBLIC INSTRUCTION ON THE DISBURSEMENT OF QUICK START GRANTS AND SHALL
2 MAKE EVERY ATTEMPT TO ACCOMMODATE LARGE SCHOOLS, SMALL SCHOOLS, URBAN SCHOOLS, AND RURAL SCHOOLS.

3 (8) QUICK START GRANTS MADE UNDER THIS PROGRAM ARE SUBJECT TO REVIEW BY THE LEGISLATIVE FINANCE COMMITTEE.

4
5 **Section 30.** Section 20, Chapter 390, Laws of 2003, is amended to read:

6 **"Section 20. Termination.** [This act] terminates June 30, ~~2005~~ 2011."

7
8 **Section 31.** Section 4, Chapter 606, Laws of 2005, is amended to read:

9 **"Section 4.** Section 20, Chapter 390, Laws of 2003, is amended to read:

10 **"Section 20. Termination.** [This act] terminates June 30, ~~2005~~ 2007 2011.""

11
12 **Section 32.** Section 7, Chapter 606, Laws of 2005, is amended to read:

13 **"Section 7. Termination.** [This act] terminates June 30, ~~2007~~ 2011."

14
15 **Section 33.** Section 4, Chapter 517, Laws of 2007, is amended to read:

16 **"Section 4.** Section 20, Chapter 390, Laws of 2003, is amended to read:

17 **"Section 20. Termination.** [This act] terminates June 30, ~~2005 2009~~ 2011.""

18
19 **Section 34.** Section 5, Chapter 517, Laws of 2007, is amended to read:

20 **"Section 5.** Section 4, Chapter 606, Laws of 2005, is amended to read:

21 **"Section 4.** Section 20, Chapter 390, Laws of 2003, is amended to read:

1 "Section 20. Termination. [This act] terminates June 30, ~~2005~~ 2007 ~~2009~~ 2011.""

2
3 Section 35. Section 6, Chapter 517, Laws of 2007, is amended to read:

4 "Section 6. Section 7, Chapter 606, Laws of 2005, is amended to read:

5 "Section 7. Termination. [This act] terminates June 30, ~~2007~~ 2009 2011.""

6
7 Section 36. Section 8, Chapter 517, Laws of 2007, is amended to read:

8 "Section 8. Termination. [Sections 1 through 3] terminate June 30, ~~2009~~ 2011."

9
10 NEWSECTION. SECTION 37. APPROPRIATION. THE AMOUNT OF \$4 MILLION FROM GENERAL FUND APPROPRIATIONS IN SECTION 9-B, ITEMS 9, 10, 11, AND
11 12, OF CHAPTER 5, SPECIAL LAWS OF MAY 2007, IN EXCESS OF \$13 MILLION OF GENERAL FUND APPROPRIATIONS THAT WOULD OTHERWISE REVERT ON JUNE 30,
12 2009, IS APPROPRIATED IN THE 2011 BIENNIUM FOR PROVIDER RATE INCREASE.

13 (2) ANY FUNDS REMAINING IN SECTION 9-B, ITEM 12J, CHAPTER 5, SPECIAL LAWS OF MAY 2007, ON JUNE 30, 2009, THAT WOULD OTHERWISE REVERT ARE
14 APPROPRIATED IN THE 2011 BIENNIUM FOR MENTAL HEALTH CRISIS DIVERSION PILOT PROGRAM.

15
16 Section 38. Section 9-B, items 4b and 10, Chapter 5, Special Laws of May 2007, is amended to read:

Fiscal 2008						Fiscal 2009					
	State	Federal					State	Federal			
General	Special	Special	Propri-			General	Special	Special	Propri-		
Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total

1	"4.	Child Support Enforcement Division (05)										
2	b.	Child Support Deficit Reduction Act (Restricted/OTO)										
3	1,620,765	0	0	0	0	1,620,765	2,154,589	0	0	0	0	2,154,589
4							<u>507,675</u>	0	0	0	0	<u>507,675</u>
5	10.	Health Resources Division (11)										
6	123,698,117	19,947,092	341,190,786	0	0	484,835,995	134,719,465	19,749,092	367,644,813	0	0	522,113,370
7							<u>81,719,465</u>					<u>469,113,370</u>
8							<u>85,719,465</u>					<u>473,113,370</u>
9	a.	Health Resources Division Administration/Reporting										
10	232,550	12,726	281,657	0	0	526,933	234,655	12,841	284,208	0	0	531,704
11	b.	Direct Care Worker Wage Increase (Restricted)										
12	18,036	300,000	695,142	0	0	1,013,178	19,050	300,000	694,128	0	0	1,013,178
13	c.	Provider Rate Increase (Restricted)										
14	0	1,620,277	2,100,682	0	0	3,720,959	1,222,681	1,646,566	4,247,683	0	0	7,116,930
15	d.	Hospital Utilization Fee (Restricted)										
16	0	17,503,843	38,222,192	0	0	55,726,035	0	20,324,595	44,183,150	0	0	64,507,745
17	e.	Family Planning Waiver (OTO)										
18	348,297	0	2,743,296	0	0	3,091,593	347,669	0	2,742,669	0	0	3,090,338
19	f.	Prescription Drug Discount Program (Restricted)										
20	0	1,389,441	0	0	0	1,389,441	0	2,037,846	0	0	0	2,037,846
21	g.	Equalize Campus-Based Rates (Restricted)										

1	23,785	0	69,943	0	0	93,728	54,261	0	159,558	0	0	213,819
2	h.	Raise Physician Reimbursement (Restricted)										
3	0	0	0	0	0	0	520,306	0	1,522,928	0	0	2,043,234
4	i.	Medicaid Eligibility for Pregnant Women to 150% (Restricted)										
5	0	943,117	2,061,397	0	0	3,004,514	0	1,216,532	2,646,701	0	0	3,863,233
6	j.	Revise Medically Needy Income Level (Restricted)										
7	371,647	0	1,092,864	0	0	1,464,511	743,295	0	2,175,611	0	0	2,918,906
8	k.	Big Sky Rx Premium Assistance (Restricted/Biennial)										
9	0	9,674,920	0	0	0	9,674,920	0	0	0	0	0	0

10 The department may allocate the distribution REDUCTION of funds IN THE HEALTH RESOURCES DIVISION among programs and line items that contain
 11 medicaid or Title IV-E funding."

12

13 COORDINATION SECTION. Section 39. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 2 is passed and approved
 14 and if [this act] appropriates funds:

15 (a) to the department of administration for high performance computing in the amount of \$2 million, then the general fund appropriation for that
 16 purpose in House Bill No. 2 is void;

17 (b) to the department of commerce for:

18 (i) worker training in the amount of \$7,994,722, then the general fund appropriation for that purpose in House Bill No. 2 is void;

19 (ii) tribal economic development in the amount of \$1,596,992, then the general fund appropriation for that purpose in House Bill No. 2 is void;

20 (iii) the energy promotion and development division in the amount of \$910,000, then the general fund appropriation for that purpose in House Bill
 21 No. 2 is void; and

537

(iv) the main street program in the amount of \$250,000, then the general fund appropriation for that purpose in House Bill No. 2 is void;

(c) to the department of agriculture for invasive species in the amount of \$667,000, then the general fund appropriation for that purpose in House Bill No. 2 is void;

~~(d) to the department of corrections for license plate reissue in the amount of \$2,886,308, then the general fund transfer for this purpose in House Bill No. 2 is void; and~~

~~(e)~~(D) to the department of justice for:

~~(i) license plate reissue in the amount of \$321,250, then the general fund transfer for this purpose in House Bill No. 2 is void; and~~

~~(ii) the meth watch program in the amount of \$500,000, then the general fund appropriation for this purpose in House Bill No. 2 is void.~~

(2) If the amount of an appropriation described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding appropriation for that purpose contained in House Bill No. 2 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount appropriated in [section ~~39~~ 51].

COORDINATION SECTION. Section 40. Coordination instruction. (1) Subject to subsection ~~(4)~~ (3), if House Bill No. 5 is passed and approved and if [this act] provides fund transfers from the general fund to:

(a) the state energy ~~administration fund~~ CONSERVATION REPAYMENT ACCOUNT in the department of environmental quality in the amount of \$750,000 per year, then the transfers of \$1 million in FY 2010 and \$500,000 in FY 2011 in section 3 of House Bill No. 5 for the state building energy conservation program are void;

(b) the state energy conservation CAPITAL projects account in the department of environmental quality in the amount of \$750,000 per fiscal year

AND IF THE TOTAL ALLOCATIONS OF THE FEDERAL FUNDS RECEIVED PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, PUBLIC LAW 111-5, TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN [HOUSE BILL NO. 5] IS IN THE AMOUNT OF \$20 MILLION OR GREATER, then the transfers of \$10,400,000 in

FY 2010 and \$2,957,000 in FY 2011 in section 3 of House Bill No. 5 for the energy conservation projects are void;

(c) the department of fish, wildlife, and parks for the access Montana program in the amount of \$6 ~~\$3~~ million, then the transfers in section 3 of House Bill No. 5 to the fish, wildlife, and parks capital projects account for \$1 million in FY 2010 and \$1 million in FY 2011 are void.

~~(2) Subject to subsection (4), if House Bill No. 5 is passed and approved and if the total allocations of the federal energy funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, to the department of environmental quality in House Bill No. 5 is in the amount of \$20 million or greater, then the transfer of general fund for energy conservation programs administered by the department of environmental quality in House Bill No. 5 is void.~~

~~(3)~~(2) Subject to subsection (4) (3), if House Bill No. 5 is passed and approved and if the total of the line item allocations of federal stabilization funds in House Bill No. 5 for long range building is \$5.2 million, then the transfers of \$2.6 million in FY 2010 and \$2.6 million in FY 2011 in section 3 of House Bill No. 5 for long-range building are void.

~~(4)~~(3) If the amount of a fund transfer described in subsection (1) or an allocation described in subsection (2) ~~or (3)~~ is for an amount less than the amount specified in subsections (1) ~~through (3)~~ AND (2), then the corresponding transfer or allocation for that purpose contained in House Bill No. 5 is not void, but is reduced by the amount of the difference between the amount specified in subsections (1) ~~through (3)~~ AND (2) and the amount transferred or allocated in [section 39 51].

COORDINATION SECTION. Section 41. Coordination instruction. (1) Subject to subsection ~~(2)~~ (3), if House Bill No. 10 is passed and approved and if [this act] contains:

(a) a line item transfer to replace the House Bill No. 10 transfers, then section 4 of House Bill No. 10 is void;

(b) an appropriation of ~~\$2~~ \$1 million in general fund to the department of administration for interoperability Montana, then the general fund appropriation for that purpose in House Bill No. 10 is void;

(c) an appropriation of \$3.5 million in general fund to the department of administration for the enterprise system services center equipment, then the general fund appropriation for that purpose in House Bill No. 10 is void;

1 ~~_____ (d) an appropriation of \$500,000 in general fund to the department of public health and human services for the system for enforcement and recovery~~
2 ~~of child support planning, then the general fund appropriation for that purpose in House Bill No. 10 is void.~~

3 (2) SUBJECT TO SUBSECTION (3), IF HOUSE BILL NO. 10 IS PASSED AND APPROVED AND IF [THIS ACT] DOES NOT CONTAIN A TRANSFER OF GENERAL FUND
4 OF \$1.5 MILLION FOR THE SECRETARY OF STATE FOR THE SOS INFORMATION MANAGEMENT SYSTEM, THEN THE APPROPRIATION FOR THAT PURPOSE IN HOUSE BILL
5 NO. 10 IS VOID.

6 ~~(2)(3)~~ If the amount of a fund transfer or an appropriation described in ~~subsection (1)~~ SUBSECTIONS (1) AND (2) is for an amount less than the amount
7 specified in ~~subsection (1)~~ SUBSECTIONS (1) AND (2), then the corresponding transfer or appropriation for that purpose contained in House Bill No. 10 is not
8 void, but is reduced by the amount of the difference between the amount specified in ~~subsection (1)~~ SUBSECTIONS (1) AND (2) and the amount transferred
9 or appropriated in [section ~~39~~ 51].

10

11 COORDINATION SECTION. Section 42. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 13 is passed and approved
12 and if [this act] contains an appropriation for:

13 (a) personal services contingency in the amount of \$4 million, then the general fund appropriation for that purpose in House Bill No. 13 is void;

14 (b) labor/management training initiative in the amount of \$75,000, then the general fund appropriation for that purpose in House Bill No. 13 is void;

15 and

16 (c) the \$450 individual pay adjustments in the amount of \$3,065,451, then the general fund appropriation for that purpose in House Bill No. 13 is
17 void.

18 (2) If the amount of an appropriation described in subsection (1) is for an amount less than the amount specified in subsection (1), then the
19 corresponding appropriation for that purpose contained in House Bill No. 13 is not void, but is reduced by the amount of the difference between the amount
20 specified in subsection (1) and the amount appropriated in [section ~~39~~ 51].

21

1 **COORDINATION SECTION. Section 43. Coordination instruction.** (1) Subject to subsection (2), if House Bill No. 135 is passed and approved
2 and if [this act] contains a fund transfer for the Fort Belknap-Montana water rights compact in the amount of \$1 million, then the general fund transfer to
3 the Peoples Creek minimum flow account in House Bill No. 135 is void.

4 (2) If the amount of the fund transfer described in subsection (1) is for an amount less than the amount specified in subsection (1), then the
5 corresponding fund transfer for that purpose contained in House Bill No. 135 is not void, but is reduced by the amount of the difference between the amount
6 specified in subsection (1) and the amount transferred in [section 39 51].

7
8 **COORDINATION SECTION. Section 44. Coordination instruction.** (1) Subject to subsection (2), if House Bill No. 161 is passed and approved
9 and if [this act] contains a fund transfer for the Blackfeet Tribe water rights compact in the amount of \$4 million, then the general fund transfer to the
10 Blackfeet Tribe water rights compact infrastructure account in House Bill No. 161 is void.

11 (2) If the amount of the fund transfer described in subsection (1) is for an amount less than the amount specified in subsection (1), then the
12 corresponding fund transfer for that purpose contained in House Bill No. 161 is not void, but is reduced by the amount of the difference between the amount
13 specified in subsection (1) and the amount transferred in [section 39 51].

14
15 **NEW SECTION. Section 45. Codification instruction.** (1) [Sections 9 10 and 40 11] are intended to be codified as an integral part of Title 39,
16 chapter 51, part 21, and the provisions of Title 39, chapter 51, part 21, apply to [sections 9 10 and 40 11].

17 (2) [SECTION 14] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 53, CHAPTER 6, PART 1, AND THE PROVISIONS OF TITLE 53, CHAPTER 6, PART
18 1, APPLY TO [SECTION 14].

19 (3) [SECTION 23] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 17, CHAPTER 3, PART 1, AND THE PROVISIONS OF TITLE 17, CHAPTER 3, PART
20 1, APPLY TO [SECTION 23].

21 (4) [SECTIONS 25 AND 26] ARE INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 90, CHAPTER 1, PART 1, AND THE PROVISIONS OF TITLE 90, CHAPTER

1 1. PART 1, APPLY TO [SECTIONS 25 AND 26].

2

3 NEW SECTION. Section 46. CONTINGENT VOIDNESS. (1) IF THE FEDERAL GOVERNMENT REFUSES TO PARTICIPATE IN OR DENIES APPROVAL OF ANY STATE
4 PLAN AMENDMENT RELATED TO [SECTION 2] FOR MEDICAID PAYMENTS TO HOSPITALS, THEN [SECTION 2] IS VOID.

5 (2) THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES SHALL NOTIFY THE CODE COMMISSIONER OF THE OCCURRENCE OF ANY DETERMINATION MADE
6 PURSUANT TO SUBSECTION (1) AND THE DATE OF THE OCCURRENCE.

7

8 NEW SECTION. Section 47. Effective date. [This act] is effective on passage and approval.

9

10 NEW SECTION. Section 48. Retroactive applicability. ~~[Section 15] applies~~ [SECTIONS 16 AND 18] APPLY retroactively, within the meaning of
11 1-2-109, to February 17, 2009.

12

13 NEW SECTION. Section 49. Termination. ~~[Sections 1 through 7 and 11 through 20]~~ 6, 8, 12, 13, 15 THROUGH 22, AND 27 THROUGH 29 terminate
14 June 30, 2011.

15

16 NEW SECTION. Section 50. APPROPRIATION CONTROL. AN APPROPRIATION ITEM IN [SECTION 51] THAT IS DESIGNATED "RESTRICTED" MAY BE USED
17 DURING THE BIENNIUM ONLY FOR THE PURPOSE DESIGNATED BY ITS TITLE AND AS PRESENTED TO THE LEGISLATURE.

18

19 NEW SECTION. Section 51. Appropriations -- fund transfers -- allocations. The following money is appropriated for the respective fiscal years.
20 Appropriations may be transferred among FY 2009, FY 2010, and FY 2011.

21

Fiscal 2010						Fiscal 2011					
General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			
A. GENERAL GOVERNMENT											
GOVERNOR'S OFFICE (3101)											
1. Office of Budget and Program Planning (04)											
a. HB13 -- Personal Services Contingency											
4,000,000	0	0	0	0	4,000,000	0	0	0	0	0	0
b. HB 13 -- Labor/Management Training Initiative											
75,000	0	0	0	0	75,000	0	0	0	0	0	0
c. HB 13 -- \$450 One-Time Payment											
3,065,451	0	0	0	0	3,065,451	0	0	0	0	0	0
Total											
7,140,451	0	0	0	0	7,140,451	0	0	0	0	0	0
DEPARTMENT OF ADMINISTRATION (6101)											
1. Director's Office (01)											
a. Teachers' Retirement System											
21,500,000	0	0	0	0	21,500,000	21,500,000	0	0	0	0	21,500,000

Fiscal 2010						Fiscal 2011						
	State	Federal					State	Federal				
	General	Special	Special	Propri-			General	Special	Special	Propri-		
	Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total
1	0					0	0					0
2	1.	Information Technology Services Division (07)										
3	a.	High-Performance Computing										
4	1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
5												
6	Total											
7	22,500,000	0	0	0	0	22,500,000	22,500,000	0	0	0	0	22,500,000
8	1,000,000					1,000,000	1,000,000					1,000,000
9	DEPARTMENT OF COMMERCE (6501)											
10	1.	Business Resources Division (51)										
11	a.	Main Street Program										
12	125,000	0	0	0	0	125,000	125,000	0	0	0	0	125,000
13	b.	Worker Training										
14	0	0	3,997,361	0	0	3,997,361	0	0	3,997,361	0	0	3,997,361
15	c.	Tribal Economic Development										
16	0	0	798,496	0	0	798,496	0	0	798,496	0	0	798,496

Fiscal 2010							Fiscal 2011					
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		<u>Total</u>
1	d.	Distressed Wood Products Industry										
2	3,752,548	0	0	0	0	3,752,548	3,747,452	0	0	0	0	3,747,452
3	e.	Community Development Block Grant										
4	0	0	914,939	0	0	914,939	0	0	914,939	0	0	914,939
5	F.	<u>INDIAN COUNTRY ECONOMIC DEVELOPMENT</u>										
6	<u>1,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,500,000</u>	<u>1,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,500,000</u>
7	2.	Energy Promotion and Development Division (55)										
8	a.	Energy Promotion Division										
9	455,000	0	0	0	0	455,000	455,000	0	0	0	0	455,000
10	B.	<u>BIOMASS ENERGY STUDY</u>										
11	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
12	3.	Community Development Division (60)										
13	a.	TSEP Operations										
14	0	81,158	0	0	0	81,158	0	79,415	0	0	0	79,415
15	B.	<u>COUNTY PROJECTS</u>										
16	<u>5,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>	<u>5,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>					
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			
1	C.	<u>MUNICIPAL PROJECTS</u>										
2	5,000,000	0	0	0	0	5,000,000	5,000,000	0	0	0	0	5,000,000
3	D.	<u>MONTANA AGRO-ENERGY INDUSTRIAL PARK (RESTRICTED)</u>										
4	200,000	0	0	0	0	200,000	200,000	0	0	0	0	200,000
5	4.	Housing Division (74)										
6	a.	Tax Credit Assistance Program										
7	0	0	3,909,180	0	0	3,909,180	0	0	3,909,180	0	0	3,909,180
8	b.	Housing Credit Exchange										
9	0	0	15,389,250	0	0	15,389,250	0	0	15,389,250	0	0	15,389,250
10	5.	Director's Office/Management Services Division (81)										
11	a.	Broadband Matching Grants										
12	2,500,871	0	0	0	0	2,500,871	2,499,129	0	0	0	0	2,499,129
13	b.	School Facilities Program Administration and Grants										
14	0	21,502,800	0	0	0	21,502,800	0	21,497,200	0	0	0	21,497,200
15		<u>13,536,800</u>				<u>13,536,800</u>						
16	C.	<u>HISTORIC PRESERVATION COMPETITIVE GRANTS</u>										

	Fiscal 2010						Fiscal 2011					
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
1	<u>1,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,500,000</u>	<u>1,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,500,000</u>
2	<u>D.</u>	<u>HUNTLEY PROJECT SCHOOL</u>										
3	<u>0</u>	<u>3,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
4	<u>E.</u>	<u>BROWNING SCHOOL</u>										
5	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
6	<u>F.</u>	<u>BROCKTON SCHOOL</u>										
7	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
8	<u>G.</u>	<u>CONRAD SCHOOL</u>										
9	<u>0</u>	<u>626,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>626,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
10	<u>H.</u>	<u>MONTANA LEARNING CENTER</u>										
11	<u>0</u>	<u>100,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>100,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
12	<u>I.</u>	<u>BLUE CREEK SCHOOL</u>										
13	<u>0</u>	<u>1,240,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,240,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
14	<u>J.</u>	<u>VIRTUAL HIGH SCHOOL</u>										
15	<u>0</u>	<u>2,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
16												

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Fiscal 2010Fiscal 2011

State							Federal					
General	Special	Special	Propri-				General	Special	Special	Propri-		
Fund	Revenue	Revenue	etary	Other	Total		Fund	Revenue	Revenue	etary	Other	Total
1	Total											
2	6,833,419	21,583,958	25,009,226	0	0	53,426,603	6,826,581	21,576,615	25,009,226	0	0	53,412,422
3	20,533,419					67,126,603	20,026,581					66,612,422

4 The line item for Worker Training is to provide training funds for businesses to train and educate both new and existing employees, which will result in the retention and creation of
5 high-wage and high-skilled jobs that will increase the earning potential and employment opportunities for Montana employees and enhance the state's economy. THE LINE ITEM FOR WORKER
6 TRAINING IS INTENDED TO BE IMPLEMENTED USING A FRAMEWORK SIMILAR TO THAT ESTABLISHED UNDER THE PRIMARY SECTOR BUSINESS WORKFORCE TRAINING ACT, PROVIDED FOR IN TITLE 39, CHAPTER
7 11, EXCEPT THAT THE WORKER TRAINING APPROPRIATION LINE ITEM IS TO BE USED TO TRAIN AND EDUCATE BOTH NEW AND EXISTING EMPLOYEES.

8 MONTANA AGRO-ENERGY INDUSTRIAL PARK IS RESTRICTED TO GRANT FUNDING FOR THE DEVELOPMENT OF THE MONTANA AGRO-ENERGY INDUSTRIAL PARK.

9 The line item appropriation for Broadband Matching Grants may be used to develop a statewide strategic plan and administer a competitive grant program to: provide access to
10 broadband service to consumers residing in unserved and underserved areas; provide broadband education, awareness, training, access, equipment, and support to organizations, such as
11 schools, libraries, and healthcare providers; improve access to and the use of broadband service by public safety agencies; and stimulate the demand for broadband, economic growth, and
12 job creation. The state intends to prioritize the expenditure of money on state matching funds necessary to compete for federal grants under Title VI of the American Recovery and Reinvestment
13 Act for broadband service. The state matching funds may be used for applications for federal grant money made by either the state for the provision of improved connectivity for rural and
14 underserved populations in Montana or by local entities, including public school districts.

15 The line item appropriation for the School Facilities Program Administration and Grants is to be used in the same manner as provided in section 10 of HB 152.

16 THE ITEM FOR HISTORIC PRESERVATION COMPETITIVE GRANTS IS FOR THE AWARDING OF GRANTS TO PUBLIC OR PRIVATE ENTITIES FOR THE PRESERVATION OF HISTORIC SITES WITHIN THE STATE

Fiscal 2010						Fiscal 2011					
General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
Fund	Revenue	Revenue				Fund	Revenue	Revenue			

OF MONTANA BASED ON A COMPETITIVE CRITERIA CREATED BY THE DEPARTMENT, AS GUIDED BY THE LEGISLATURE, THAT MAY INCLUDE:

(1) THE DEGREE OF ECONOMIC STIMULUS OR ECONOMIC ACTIVITY, INCLUDING JOB CREATION AND WORK CREATION FOR MONTANA CONTRACTORS AND SERVICE WORKERS;

(2) THE TIMING OF THE PROJECT, INCLUDING THE ACCESS TO MATCHING FUNDS IF NEEDED AND APPROVAL OF PERMITS SO THE WORK CAN BE COMPLETED WITHOUT DELAY;

(3) THE HISTORIC OR HERITAGE VALUE RELATED TO THE STATE OF MONTANA;

(4) THE SUCCESSFUL TRACK RECORD OR EXPERIENCE OF THE ORGANIZATION DIRECTING THE PROJECT; AND

(5) THE EXPECTED ONGOING ECONOMIC BENEFIT TO THE STATE AS A RESULT OF THE PROJECT COMPLETION.

THE AMOUNT OF \$50,000 OF THE LINE ITEM FOR HISTORIC PRESERVATION COMPETITIVE GRANTS MUST BE USED FOR THE RESTORATION AND PRESERVATION OF THE HISTORIC DALY MANSION.

THE AMOUNT OF \$40,000 OF THE LINE ITEM FOR HISTORIC PRESERVATION COMPETITIVE GRANTS MUST BE ALLOCATED TO THE HISTORIC ST. MARY'S MISSION MAINTENANCE AND RESTORATION PROJECT.

THE AMOUNT OF \$180,000 OF THE LINE ITEM FOR HISTORIC PRESERVATION COMPETITIVE GRANTS MUST BE USED FOR THE RESTORATION AND PRESERVATION OF THE TRAVELERS' REST HISTORIC SITE.

HUNTLEY PROJECT SCHOOL IS TO BE USED TO CONSTRUCT A NEW SCHOOL BUILDING SINCE A FIRE DESTROYED THE FORMER SCHOOL.

BROWNING SCHOOL IS TO BE USED TO COMPLETE THE UNFINISHED SCHOOL BUILDING.

BROCKTON SCHOOL IS TO BE USED TO REPLACE THE FIRE SYSTEM, REMODEL THE BUILDING, OR FOR THE SEWER EXCHANGE.

CONRAD SCHOOL IS TO BE USED TO REPLACE THE BOILER SYSTEM IN THE SCHOOL.

MONTANA LEARNING CENTER IS TO BE USED FOR UPGRADES AND RETROFITTING THE BUILDING.

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State	Federal				General	State	Federal			
<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>			<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>		
	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>		<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	<u>BLUE CREEK SCHOOL IS TO BE USED FOR CONSTRUCTION.</u>										
2	DEPARTMENT OF LABOR AND INDUSTRY (6602)										
3	1.	Workforce Services Division (01)									
4	a.	Workforce Investment Act -- Adult									
5	0	0	1,246,876	0	0	1,246,876	0	0	0	0	0
6	b.	Workforce Investment Act -- Youth									
7	0	0	2,947,501	0	0	2,947,501	0	0	0	0	0
8	c.	Workforce Investment Act -- Dislocated Workers									
9	0	0	1,728,008	0	0	1,728,008	0	0	0	0	0
10	d.	Employment Services									
11	0	0	1,104,669	0	0	1,104,669	0	0	0	0	0
12	e.	Community Service Employment for Older Americans									
13	0	0	147,000	0	0	147,000	0	0	0	0	0
14	f.	Temporary Extension of TAA									
15	0	0	1,202,742	0	0	1,202,742	0	0	400,914	0	400,914
16	g.	Reemployment Services to Benefit UI Claimants									

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>						
	General	State	Federal				General	State	Federal			
		Special	Special	Propri-				Special	Special	Propri-		
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	0	0	1,380,835	0	0	1,380,835	0	0	460,279	0	0	460,279
2	2.	Unemployment Insurance Division (02)										
3	a.	Extend Emergency Unemployment Compensation Program										
4	0	0	1,968,103	0	0	1,968,103	0	0	0	0	0	0
5	b.	Temporary Extension of TAA										
6	0	0	113,242	0	0	113,242	0	0	73,585	0	0	73,585
7	c.	Increase in Unemployment Compensation Program										
8	0	0	190,628	0	0	190,628	0	0	0	0	0	0
9	d.	Special Transfer for Unemployment Compensation Modernization										
10	0	0	340,271	0	0	340,271	0	0	154,748	0	0	154,748
11	e.	Special Transfer in Federal FY 2009 for Administration										
12	0	0	834,416	0	0	834,416	0	0	560,280	0	0	560,280
13	3.	Office of Community Service (07)										
14	a.	AmeriCorps Grant										
15	0	0	500,000	0	0	500,000	0	0	0	0	0	0
16												

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>						
	State	Federal					State	Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	Total											
2	0	0	13,704,291	0	0	13,704,291	0	0	1,649,806	0	0	1,649,806
3	DEPARTMENT OF MILITARY AFFAIRS (6701)											
4	1.	Army National Guard Program (12)										
5	a.	Culbertson Armory -- Female Latrines Allocation										
6	0	0	225,900	0	0	225,900	0	0	0	0	0	0
7	b.	Malta Armory -- Female Latrines Allocation										
8	0	0	225,900	0	0	225,900	0	0	0	0	0	0
9	c.	Fort Harrison -- Helicopter Dip Site Allocation										
10	0	0	279,268	0	0	279,268	0	0	0	0	0	0
11	d.	Statewide Armories -- Vault Modifications Allocation										
12	0	0	500,000	0	0	500,000	0	0	0	0	0	0
13	e.	Billings -- Water Recycler										
14	0	0	18,500	0	0	18,500	0	0	0	0	0	0
15	f.	Fort Harrison Building 412 Mechanical System										
16	0	0	30,000	0	0	30,000	0	0	0	0	0	0

Fiscal 2010Fiscal 2011

	State	Federal					State	Federal			
General	Special	Special	<u>Propri-</u>			General	Special	Special	<u>Propri-</u>		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>

1											
2	Total										
3	0	0	1,279,568	0	0	1,279,568	0	0	0	0	0
4	There is allocated \$225,900 federal stimulus to the Army National Guard Program for the Culbertson Armory – Female Latrines project, which has been approved by the national guard										
5	bureau.										
6	There is allocated \$225,900 federal stimulus funds to the Army National Guard Program for the Malta Armory – Female Latrines project, which has been approved by the national										
7	guard bureau.										
8	There is allocated \$500,000 federal stimulus to the Army National Guard Program for the Statewide Armories – Vault Modifications project, which has been approved by the national										
9	guard bureau.										
10	There is allocated \$279,268 federal stimulus funds to the Army National Guard Program for the Fort Harrison – Helicopter Dip Site project, which has been approved by the national										
11	guard bureau.										
12											
13	TOTAL SECTION A										
14	36,473,870	21,583,958	39,993,085	0	0	98,050,913	29,326,581	21,576,615	26,659,032	0	77,562,228
15	<u>28,673,870</u>					<u>90,250,913</u>	<u>21,026,581</u>				<u>69,262,228</u>

16

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
B. HEALTH AND HUMAN SERVICES											
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES (6901)											
1.	Human and Community Services Division (02)										
a.	Child Care Development Block Grant -- FY 2009										
0	0	718,736	0	0	718,736	0	0	0	0	0	0
b.	Child Care Development Block Grant -- FY 2010-11										
0	0	2,873,503	0	0	2,873,503	0	0	2,155,127	0	0	2,155,127
c.	Community Services Block Grant -- FY 2009										
0	0	1,692,000	0	0	1,692,000	0	0	0	0	0	0
d.	Community Services Block Grant -- FY 2010-11										
0	0	2,256,000	0	0	2,256,000	0	0	564,000	0	0	564,000
e.	TANF Emergency Funds -- FY 2009										
0	0	1,765,870	0	0	1,765,870	0	0	0	0	0	0
f.	TANF Emergency Funds -- FY 2010-11										
0	0	2,185,332	0	0	2,185,332	0	0	1,638,999	0	0	1,638,999
g.	SNAP -- Food Stamps -- FY 2009										

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>						
	State	Federal					State	Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	0	0	5,983,625	0	0	5,983,625	0	0	0	0	0	
2	h.	SNAP -- Food Stamps -- FY 2010-11										
3	0	0	21,503,078	0	0	21,503,078	0	0	21,415,578	0	0	21,415,578
4	i.	Food Distribution on Reservations -- FY 2009										
5	0	0	69,300	0	0	69,300	0	0	0	0	0	0
6	j.	Food Distribution on Reservations -- FY 2010-11										
7	0	0	77,000	0	0	77,000	0	0	7,700	0	0	7,700
8	k.	Emergency Food Assistance -- FY 2009										
9	0	0	32,750	0	0	32,750	0	0	0	0	0	0
10	l.	Emergency Food Assistance -- FY 2010-11										
11	0	0	43,667	0	0	43,667	0	0	10,916	0	0	10,916
12	m.	Weatherization -- FY 2009										
13	0	0	3,382,460	0	0	3,382,460	0	0	0	0	0	0
14	n.	Weatherization -- FY 2010-11										
15	0	0	13,529,841	0	0	13,529,841	0	0	10,147,380	0	0	10,147,380
16	o.	Homeless Prevention/Emergency Food & Shelter -- FY 2009										

Fiscal 2010Fiscal 2011

	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			
1	0	0	187,500	0	0	187,500	0	0	0	0	0	0
2	p.	Homeless Prevention/Emergency Food & Shelter -- FY 2010-11										
3	0	0	1,875,000	0	0	1,875,000	0	0	1,687,500	0	0	1,687,500
4	Q.	<u>FOOD FOR FOOD BANKS (RESTRICTED)</u>										
5	<u>250,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>250,000</u>	<u>250,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>250,000</u>
6	R.	<u>HOMELESS PREVENTION/EMERGENCY FOOD & SHELTER -- GENERAL FUND (RESTRICTED)</u>										
7	<u>750,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>750,000</u>	<u>750,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>750,000</u>
8	2.	Director's Office (04)										
9	a.	VISTA -- FY 2010-11										
10	0	0	50,000	0	0	50,000	0	0	50,000	0	0	50,000
11	B.	<u>PROVIDER RATE INCREASE (RESTRICTED)</u>										
12	<u>2,000,000</u>	<u>8,527</u>	<u>3,588,062</u>	<u>0</u>	<u>0</u>	<u>5,596,589</u>	<u>2,000,000</u>	<u>7,980</u>	<u>3,118,487</u>	<u>0</u>	<u>0</u>	<u>5,126,467</u>
13	3.	Child Support Enforcement Division (05)										
14	a.	CSED -- Temporarily Restore Federal Matching Funds -- FY 2009										
15	0	0	1,646,914	0	0	1,646,914	0	0	0	0	0	0
16	b.	CSED -- Temporarily Restore Federal Matching Funds -- FY 2010-11										

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>						
	State	Federal					State	Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	0	0	2,040,176	0	0	2,040,176	0	0	619,235	0	0	619,235
2	4.	Public Health and Safety Division (07)										
3	a.	WIC -- FY 2010-11										
4	0	0	783,000	0	0	783,000	0	0	700,000	0	0	700,000
5	b.	County Health Grants -- Asbestos -- FY 2010-11										
6	0	0	1,000,000	0	0	1,000,000	0	0	1,000,000	0	0	1,000,000
7	c.	Prevention and Wellness Fund -- FY 2010-11										
8	0	0	2,100,000	0	0	2,100,000	0	0	2,100,000	0	0	2,100,000
9	5.	Operations and Technology Division (09)										
10	a.	Health Information Technology -- FY 2010-11										
11	375,000	0	0	0	0	375,000	375,000	0	0	0	0	375,000
12	6.	Disability Services Division (10)										
13	a.	IDEA -- Infants and Families -- FY 2010-11										
14	0	0	1,069,921	0	0	1,069,921	0	0	1,069,922	0	0	1,069,922
15	b.	Vocational Rehabilitation State Grants -- FY 2010-11										
16	0	0	1,315,737	0	0	1,315,737	0	0	1,000,000	0	0	1,000,000

Fiscal 2010						Fiscal 2011						
	State	Federal					State	Federal				
	General	Special	Special	Propri-			General	Special	Special	Propri-		
	Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total
1			<u>1,265,733</u>			<u>1,265,733</u>			<u>949,981</u>			<u>949,981</u>
2	c.	<u>TRANSITIONS COORDINATOR (RESTRICTED)</u>										
3	<u>0</u>	<u>0</u>	<u>50,004</u>	<u>0</u>	<u>0</u>	<u>50,004</u>	<u>0</u>	<u>0</u>	<u>50,019</u>	<u>0</u>	<u>0</u>	<u>50,019</u>
4	7.	Health Resources Division (11)										
5	a.	FMAP -- FY 2009										
6	<u>0</u>	<u>0</u>	<u>53,000,000</u>	<u>0</u>	<u>0</u>	<u>53,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
7			<u>54,000,000</u>			<u>54,000,000</u>						
8	b.	FMAP -- FY 2010-11										
9	<u>0</u>	<u>0</u>	<u>75,000,000</u>	<u>0</u>	<u>0</u>	<u>75,000,000</u>	<u>0</u>	<u>0</u>	<u>27,000,000</u>	<u>0</u>	<u>0</u>	<u>27,000,000</u>
10			<u>78,000,000</u>			<u>78,000,000</u>			<u>31,000,000</u>			<u>31,000,000</u>
11	c.	Medicaid Caseload -- FY 2010-11										
12	25,000,000	<u>0</u>	<u>84,361,329</u>	<u>0</u>	<u>0</u>	<u>109,361,329</u>	35,000,000	<u>0</u>	<u>118,105,861</u>	<u>0</u>	<u>0</u>	<u>153,105,861</u>
13	d.	<u>SUSTAIN SYSTEM OF CARE AND KIDS MANAGEMENT AUTHORITIES (RESTRICTED)</u>										
14	<u>333,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>333,500</u>	<u>333,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>333,500</u>
15	e.	<u>INDIAN PROPERTY EXCLUSION IN MEDICAID DETERMINATION</u>										
16	<u>231,764</u>	<u>0</u>	<u>751,536</u>	<u>0</u>	<u>0</u>	<u>983,300</u>	<u>310,188</u>	<u>0</u>	<u>732,110</u>	<u>0</u>	<u>0</u>	<u>1,042,298</u>

Fiscal 2010						Fiscal 2011							
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total	
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				
1	F.	<u>TRANSITIONAL MEDICAID</u>											
2		<u>196,432</u>	<u>0</u>	<u>636,968</u>	<u>0</u>	<u>0</u>	<u>833,400</u>	<u>248,020</u>	<u>0</u>	<u>585,380</u>	<u>0</u>	<u>0</u>	<u>833,400</u>
3	8.	Senior and Long-Term Care Division (22)											
4	a.	Aging Services Programs – FY 2010-11											
5		0	0	250,000	0	0	250,000	0	0	250,000	0	0	250,000
6	B.	<u>NONMEDICAID COMMUNITY AGING SERVICES (RESTRICTED)</u>											
7		<u>1,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,500,000</u>	<u>1,500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,500,000</u>
8	9.	<u>ADDICTIVE AND MENTAL DISORDERS DIVISION (33)</u>											
9	A.	<u>MENTAL HEALTH CRISIS DIVERSION PILOT PROGRAM (RESTRICTED)</u>											
10		<u>2,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,000,000</u>	<u>2,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,000,000</u>
11													
12	Total												
13		<u>25,375,000</u>	<u>0</u>	<u>280,792,739</u>	<u>0</u>	<u>0</u>	<u>306,167,739</u>	<u>35,375,000</u>	<u>0</u>	<u>189,522,218</u>	<u>0</u>	<u>0</u>	<u>224,897,218</u>
14		<u>32,636,696</u>	<u>8,527</u>	<u>289,769,305</u>			<u>322,414,528</u>	<u>42,766,708</u>	<u>7,980</u>	<u>197,958,195</u>			<u>240,732,883</u>

The total collections of enhanced FMAP include the \$155 million contained in FMAP – FY 2009 and FMAP – FY 2010-11 plus an increase in revenue of \$3 million due to the enhanced

FMAP effect on the institutional reimbursement general fund revenue:

Fiscal 2010						Fiscal 2011					
General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			

The House Bill No. 2 base general fund appropriations for the Human and Community Services Division for benefits are reduced by \$668,397 in FY 2010 and \$1,375,485 in FY 2011.

THE LESSER OF \$668,397 OR ACTUAL TOTAL FISCAL YEAR 2010 EXPENDITURES FROM HUMAN AND COMMUNITY SERVICES DIVISION, CHILD CARE DEVELOPMENT BLOCK GRANT -- FY 2010-11 MAY BE INCLUDED IN THE BASE BUDGET FOR THE PURPOSES OF 17-7-111 FOR THE 2013 BIENNIUM BUDGET IN ACCORDANCE WITH [SECTION 5]. THESE EXPENDITURES MAY BE FUNDED WITH GENERAL FUND IN THE PRESENT LAW BASE FOR THE 2013 BIENNIUM EXECUTIVE BUDGET IN ACCORDANCE WITH [SECTION 5].

HOMELESS PREVENTION/EMERGENCY FOOD & SHELTER -- GENERAL FUND MAY BE USED BY THE HUMAN AND COMMUNITY SERVICES DIVISION ONLY TO ALLOW HUMAN RESOURCE DEVELOPMENT COUNCILS TO ASSIST SHELTERS THROUGHOUT THE STATE IN THE FOUR COMPONENTS IDENTIFIED FOR SHELTERS IN THE FEDERAL GRANT:

(1) ESSENTIAL SERVICES TO HOMELESS FAMILIES;

(2) ONE-TIME PAYMENTS FOR HOMELESS PREVENTION SERVICES;

(3) MAINTENANCE FUNDING IN SUPPORT OF EXISTING EMERGENCY SHELTERS AND DOMESTIC VIOLENCE FACILITIES THAT PROVIDE SHELTER, FOOD, AND INDIVIDUAL SUPPORT SERVICES; AND

(4) REHABILITATION OR CONVERSION OF BUILDINGS FOR HOMELESS SHELTERS.

PROVIDER RATE INCREASE MAY BE USED ONLY TO FUND A PROVIDER RATE INCREASE. FUNDS MAY BE ALLOCATED AMONG PROGRAMS.

~~The House Bill No. 2 base general fund appropriations for the Child Support Enforcement Division are reduced by \$2,040,176 in FY 2010 and \$619,235 in FY 2011.~~

TOTAL FISCAL YEAR 2010 EXPENDITURES FROM CSED -- TEMPORARILY RESTORE FEDERAL MATCHING FUNDS -- FY 2010-11 MAY BE INCLUDED IN THE BASE BUDGET FOR THE PURPOSES OF 17-7-111 FOR THE 2013 BIENNIUM BUDGET IN ACCORDANCE WITH [SECTION 5]. THESE EXPENDITURES MAY BE FUNDED WITH GENERAL FUND IN THE PRESENT LAW BASE FOR THE 2013 BIENNIUM EXECUTIVE BUDGET IN ACCORDANCE WITH [SECTION 5].

FUNDING FOR TRANSITIONS COORDINATOR MAY ONLY BE EXPENDED BY THE DISABILITY SERVICES DIVISION FOR A TRANSITIONS COORDINATOR.

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
State	Federal					State	Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1 The House Bill No. 2 base general fund appropriations for the Health Resources Division for benefits are reduced by \$75 <u>\$71</u> million in FY 2010 and \$27 <u>\$26</u> million in FY 2011. The											
2 agency may redistribute funding between programs to realign funding sources for medicaid <u>AND TITLE IV-E FUNDING.</u>											
3 <u>TOTAL FISCAL YEAR 2010 EXPENDITURES FROM FMAP -- FY 2010-11 MAY BE INCLUDED IN THE BASE BUDGET FOR THE PURPOSES OF 17-7-111 FOR THE 2013 BIENNIUM BUDGET IN ACCORDANCE</u>											
4 <u>WITH [SECTION 5]. THESE EXPENDITURES MAY BE FUNDED WITH GENERAL FUND IN THE PRESENT LAW BASE FOR THE 2013 BIENNIUM EXECUTIVE BUDGET IN ACCORDANCE WITH [SECTION 5].</u>											
5 <u>THE TOTAL COLLECTIONS OF ENHANCED FMAP INCLUDE \$146 MILLION THAT REDUCES STATE GENERAL FUND EXPENDITURES, \$14 MILLION OF ADDITIONAL GENERAL FUND REVENUE FROM</u>											
6 <u>INSTITUTIONAL REIMBURSEMENTS AND THE HOSPITAL UTILIZATION FEE, AND \$3 MILLION OF ADDITIONAL FEDERAL EXPENDITURES FOR SCHOOLS WHICH DOES NOT IMPACT GENERAL FUND.</u>											
7 <u>MEDICAID CASELOAD IS RESTRICTED TO TRANSFERS TO A STATE SPECIAL REVENUE ACCOUNT OF FUNDS ELIGIBLE FOR RESERVE UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009,</u>											
8 <u>PUBLIC LAW 111-5, TITLE V, SECTION 5001.</u>											
9 <u>MEDICAID CASELOAD -- FY2010-11 MAY BE USED ONLY TO PAY MEDICAID BENEFITS ABOVE THE LEVEL APPROPRIATED IN HOUSE BILL NO. 2 EXCLUDING THE HEALTHY MONTANA KIDS PROGRAM,</u>											
10 <u>UP TO \$1 MILLION OF GENERAL FUND AND \$1 MILLION OF FEDERAL FUNDS MAY BE USED FOR ADMINISTRATION DIRECTLY ATTRIBUTABLE TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF</u>											
11 <u>2009, PUBLIC LAW 111-5, OR TO MEDICAID BENEFITS.</u>											
12 <u>MENTAL HEALTH CRISIS DIVERSION PILOT PROGRAM IS CONTINGENT UPON PASSAGE AND APPROVAL OF HOUSE BILL NO. 130, HOUSE BILL NO. 131, AND HOUSE BILL NO. 132 AND MAY BE USED</u>											
13 <u>ONLY TO IMPLEMENT THOSE BILLS.</u>											
14 _____											
15 TOTAL SECTION B											
25,375,000	0	280,792,739	0	0	306,167,739	35,375,000	0	189,522,218	0	0	224,897,218

	<u>Fiscal 2010</u>					<u>Fiscal 2011</u>						
		State	Federal				State	Federal				
	General	Special	Special	<u>Propri-</u>		General	Special	Special	<u>Propri-</u>			
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		<u>Other</u>	Total
1	<u>32,636,696</u>	<u>8,527</u>	<u>289,769,305</u>			<u>322,414,528</u>	<u>42,766,708</u>	<u>7,980</u>	<u>197,958,195</u>			<u>240,732,883</u>
2												

Fiscal 2010Fiscal 2011

		State	Federal				State	Federal					
	General	Special	Special	Propri-			General	Special	Special	Propri-			
	Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total	
1	C. NATURAL RESOURCES AND TRANSPORTATION												
2	DEPARTMENT OF ENVIRONMENTAL QUALITY (5301)												
3	1.	Planning, Prevention, and Assistance Division (20)											
4	a.	State Energy Programs											
5		0	0	5,509,281	0	0	5,509,281	0	0	3,202,719	0	0	3,202,719
6	b.	Energy Efficiency Block Grant											
7		0	0	7,253,289	0	0	7,253,289	0	0	323,711	0	0	323,711
8	c.	Drinking Water SRF -- Administration											
9		0	0	388,673	0	0	388,673	0	0	313,400	0	0	313,400
10	d.	Clean Water SRF -- Administration											
11		0	0	382,034	0	0	382,034	0	0	307,828	0	0	307,828
12	e.	Water Quality Grant											
13		0	0	193,886	0	0	193,886	0	0	0	0	0	0
14	f.	Diesel Emissions Reduction Act (DERA) Grant											
15		0	0	1,033,287	0	0	1,033,287	0	0	666,713	0	0	666,713
16	2.	Enforcement Division (30)											

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>						
	State	Federal					State	Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	a.	Enforcement Division Administration – Federal Stimulus										
2	32,481	0	0	0	0	32,481	66,873	0	0	0	0	66,873
3	3.	Remediation Division (40)										
4	a.	Leaking Underground Storage Tanks										
5	0	0	1,075,491	0	0	1,075,491	0	0	924,509	0	0	924,509
6	4.	Permitting and Compliance Division (50)										
7	a.	Drinking Water SRF – Administration										
8	0	0	607,297	0	0	607,297	0	0	535,057	0	0	535,057
9	b.	Permitting and Compliance Division Administration – Federal Stimulus										
10	359,794	0	0	0	0	359,794	367,918	0	0	0	0	367,918
11	c.	Permitting and Compliance Division Administration – FY 2009										
12	101,500	0	0	0	0	101,500	0	0	0	0	0	0
13												
14	Total											
15	493,775	0	16,443,238	0	0	16,937,013	434,791	0	6,273,937	0	0	6,708,728
16	DEPARTMENT OF TRANSPORTATION (5401)											

Fiscal 2010							Fiscal 2011						
		State	Federal					State	Federal				
	General	Special	Special	Propri-			General	Special	Special	Propri-			
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1	1.	Construction Program (02)											
2	a.	Highway Funding											
3		0	0	132,000,000	0	0	132,000,000	0	0	88,000,000	0	0	88,000,000
4	2.	Transportation Planning Division (50)											
5	a.	Transit Formula Funding											
6		0	0	9,367,026	0	0	9,367,026	0	0	6,244,684	0	0	6,244,684
7													
8	Total												
9		0	0	141,367,026	0	0	141,367,026	0	0	94,244,684	0	0	94,244,684
10	DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)												
11	1.	Centralized Services Division (21)											
12	a.	Drinking Water – SRF											
13		0	0	75,140	0	0	75,140	0	0	75,712	0	0	75,712
14	2.	Conservation and Resource Development Division (23)											
15	a.	Drinking Water – SRF											
16		0	0	10,530,000	0	0	10,530,000	0	0	0	0	0	0

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>					
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	b.	Clean Water – SRF										
2	0	0	10,385,146	0	0	10,385,146	0	0	20,000	0	0	20,000
3	c.	Water Project Administration										
4	230,000	0	0	0	0	230,000	230,000	0	0	0	0	230,000
5	<u>D.</u>	<u>FLOOD DAMAGE MITIGATION ASSISTANCE PROGRAM</u>										
6	<u>1,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,000,000</u>	<u>1,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,000,000</u>
7	3.	Reserved Water Rights Compact Commission (25)										
8	a.	Blackfeet Water Compact (transfer)										
9	4,000,000	0	0	0	0	4,000,000	0	0	0	0	0	0
10	b.	Fort Belknap Water Compact (transfer)										
11	1,000,000	0	0	0	0	1,000,000	0	0	0	0	0	0
12	4.	Forestry and Trust Lands (35)										
13	a.	USFS State and Private Forestry Assistance										
14	0	0	2,500,000	0	0	2,500,000	0	0	2,500,000	0	0	2,500,000
15												
16	Total											

	Fiscal 2010						Fiscal 2011					
	General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			
1	5,230,000	0	23,490,286	0	0	<u>28,720,286</u>	230,000	0	2,595,712	0	0	<u>2,825,712</u>
2	<u>6,230,000</u>					<u>29,720,286</u>	<u>1,230,000</u>					<u>3,825,712</u>
3	DEPARTMENT OF AGRICULTURE (6204)											
4	4. Agricultural Sciences Division (30)											
5	5. a. Invasive Species											
6	333,500	0	0	0	0	<u>333,500</u>	333,500	0	0	0	0	<u>333,500</u>
7	<u>0</u>					<u>0</u>	<u>0</u>					<u>0</u>
8												
9	Total											
10	333,500	0	0	0	0	<u>333,500</u>	333,500	0	0	0	0	<u>333,500</u>
11	<u>0</u>					<u>0</u>	<u>0</u>					<u>0</u>
12												
13	TOTAL SECTION C											
14	6,057,275	0	181,300,550	0	0	<u>187,357,825</u>	998,291	0	103,114,333	0	0	<u>104,112,624</u>
15	<u>6,723,775</u>					<u>188,024,325</u>	<u>1,664,791</u>					<u>104,779,124</u>
16												

Fiscal 2010						Fiscal 2011					
General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>				<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>			
D. JUDICIAL BRANCH, LAW ENFORCEMENT, JUSTICE											
<u>JUDICIARY (2110)</u>											
1. <u>SUPREME COURT OPERATIONS (01)</u>											
A. <u>SELF-HELP LAW PROGRAM</u>											
247,500	0	0	0	0	247,500	247,500	0	0	0	0	247,500
Total											
247,500	0	0	0	0	247,500	247,500	0	0	0	0	247,500
CRIME CONTROL DIVISION (4107)											
1. Justice System Support Service (01)											
a. Byrne/JAG Grant											
0	0	3,165,819	0	0	3,165,819	0	0	0	0	0	0
b. Crime Victims Assistance Grant											
0	0	564,000	0	0	564,000	0	0	0	0	0	0
c. Violence Against Women Grant											
0	0	916,955	0	0	916,955	0	0	0	0	0	0

	Fiscal 2010						Fiscal 2011					
	State		Federal				State		Federal			
	General	Special	Special	Propri-			General	Special	Special	Propri-		
	Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total
1												
2	Total											
3	0	0	4,646,774	0	0	4,646,774	0	0	0	0	0	0
4	DEPARTMENT OF JUSTICE (4110)											
5	4. Motor Vehicle Division (12)											
6	a. License Plate Reissue											
7	321,250	0	0	0	0	321,250	0	0	0	0	0	0
8	<u>0</u>					<u>0</u>						
9	1. <u>LEGAL SERVICES DIVISION (01)</u>											
10	A. <u>CRIME VICTIMS COMPENSATION GRANT</u>											
11	<u>0</u>	<u>0</u>	<u>90,582</u>	<u>0</u>	<u>0</u>	<u>90,582</u>	<u>0</u>	<u>0</u>	<u>90,582</u>	<u>0</u>	<u>0</u>	<u>90,582</u>
12	2. Division of Criminal Investigation (18)											
13	a. Meth Watch											
14	500,000	0	0	0	0	500,000	0	0	0	0	0	0
15	<u>0</u>					<u>0</u>						
16	a. Internet Crimes Against Children Grants											

	Fiscal 2010						Fiscal 2011					
	State		Federal				State		Federal			
	General	Special	Special	Propri-			General	Special	Special	Propri-		
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	0	0	403,670	0	0	403,670	0	0	0	0	0	0
2												
3	Total											
4	821,250	0	403,670	0	0	1,224,920	0	0	0	0	0	0
5	0		494,252			494,252			90,582			90,582
6	DEPARTMENT OF CORRECTIONS (6401)											
7	1. Montana Correctional Enterprises (04)											
8	a. License Plate Reissue											
9	2,858,599	0	0	0	0	2,858,599	27,709	0	0	0	0	27,709
10	0					0	0					0
11	<u>1. COMMUNITY CORRECTIONS (02)</u>											
12	<u>A. REMOVE VACANCY SAVINGS FOR 24-7 STAFF/REDUCE OVERTIME</u>											
13	73,225	0	0	0	0	73,225	73,620	0	0	0	0	73,620
14	<u>2. SECURE CARE (03)</u>											
15	<u>A. REMOVE VACANCY SAVINGS FOR 24-7 STAFF/REDUCE OVERTIME</u>											
16	997,547	0	0	0	0	997,547	1,002,781	0	0	0	0	1,002,781

Fiscal 2010						Fiscal 2011					
State		Federal				State		Federal			
General	Special	Special	Propri-			General	Special	Special	Propri-		
Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total
3. JUVENILE CORRECTIONS (05)											
A. REMOVE VACANCY SAVINGS FOR 24-7 STAFF/REDUCE OVERTIME											
282,040	0	0	0	0	282,040	283,346	0	0	0	0	283,346
Total											
2,858,599	0	0	0	0	2,858,599	27,709	0	0	0	0	27,709
1,352,812					1,352,812	1,359,747					1,359,747
TOTAL SECTION D											
3,679,849	0	5,050,444	0	0	8,730,293	27,709	0	0	0	0	27,709
1,600,312		5,141,026			6,741,338	1,607,247		90,582			1,697,829

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State	Federal				General	State	Federal			
<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>				<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
E. EDUCATION											
OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION (3501)											
1.	OPI Administration (06)										
a.	IDEA -- Special Education										
0	0	1,235,815	0	0	1,235,815	0	0	0	0	0	0
b.	Title I-A Improvement -- FY 2009										
0	0	468,150	0	0	468,150	0	0	0	0	0	0
c.	Title II-D Education Technology -- FY 2009										
0	0	160,469	0	0	160,469	0	0	0	0	0	0
2.	Distribution to Public Schools (09)										
a.	School Lunch Equipment										
0	0	247,461	0	0	247,461	0	0	0	0	0	0
b.	Title I -- FY 2009										
0	0	34,650,000	0	0	34,650,000	0	0	0	0	0	0
c.	IDEA -- Special Education										
0	0	35,472,241	0	0	35,472,241	0	0	0	0	0	0

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
	State	Federal					State	Federal			
General	Special	Special	Propri-			General	Special	Special	Propri-		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	d.	Education Technology -- FY 2009									
2	0	0	3,048,906	0	0	3,048,906	0	0	0	0	0
3	e.	Title I-A Improvement -- FY 2009									
4	0	0	8,894,850	0	0	8,894,850	0	0	0	0	0
5	f.	IDEA Part B (Section 619 Preschool) -- FY 2010-11									
6	0	0	1,260,947	0	0	1,260,947	0	0	0	0	0
7	g.	McKinney-Vento (Homeless Assistance) -- FY 2010-11									
8	0	0	224,000	0	0	224,000	0	0	0	0	0
9	<u>H.</u>	<u>SPECIAL EDUCATION -- MAINTENANCE OF EFFORT -- FY 2009</u>									
10	<u>1,233,764</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,233,764</u>	<u>1,233,764</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,233,764</u>
11	<u>I.</u>	<u>FLEX FUND</u>									
12	<u>5,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>	<u>5,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>
13											
14	Total										
15	0	0	85,662,839	0	0	85,662,839	0	0	0	0	0
16	6,233,764					91,896,603	6,233,764				6,233,764

Fiscal 2010						Fiscal 2011					
General	State	Federal				General	State	Federal			
Fund	Special	Special	Propri-			Fund	Special	Special	Propri-		
	Revenue	Revenue	etary	Other	Total		Revenue	Revenue	etary	Other	Total
1 <u>TOTAL FISCAL YEAR 2010 EXPENDITURES FROM THE LINE ITEM FLEX FUND MAY BE INCLUDED IN THE BASE BUDGET AS THE AT-RISK FUNDING COMPONENT FOR THE PURPOSES OF 17-7-111 FOR THE</u> 2 <u>2013 BIENNium BUDGET IN ACCORDANCE WITH [SECTION 5]. THESE EXPENDITURES MAY BE FUNDED WITH GENERAL FUND IN THE PRESENT LAW BUDGET FOR THE 2013 BIENNium EXECUTIVE BUDGET IN</u> 3 <u>ACCORDANCE WITH [SECTION 5].</u> 4 <u>MONTANA ARTS COUNCIL (5114)</u> 5 <u>1. NATIONAL ENDOWMENT FOR THE ARTS</u> 6 0 0 145,500 0 0 145,500 0 0 145,500 0 0 145,500 7 _____ 8 Total 9 0 0 145,500 0 0 145,500 0 0 145,500 0 0 145,500 10 <u>MONTANA LIBRARY COMMISSION (5115)</u> 11 <u>1. STATEWIDE LIBRARY RESOURCES (01)</u> 12 A. <u>EXPANSION OF READING SERVICES FOR THE BLIND</u> 13 323,000 0 0 0 0 323,000 0 0 0 0 0 0 14 _____ 15 Total 16 323,000 0 0 0 0 323,000 0 0 0 0 0 0											

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State	Federal	Propri-			General	State	Federal	Propri-		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
MONTANA UNIVERSITY SYSTEM, INCLUDING OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION AND EDUCATIONAL UNITS AND AGENCIES (5100)											
1.	OCHE – Administration (01)										
a.	Distance Learning										
0	0	1,000,000	0	0	1,000,000	0	0	1,000,000	0	0	1,000,000
2.	OCHE – Community College Assistance (04)										
a.	Community College Assistance (<u>RESTRICTED/OTO</u>)										
0	0	606,189	0	0	606,189	0	0	671,586	0	0	671,586
<u>700,000</u>					<u>1,306,189</u>	<u>700,000</u>					<u>1,371,586</u>
B.	<u>COMMUNITY COLLEGES TUITION MITIGATION</u>										
<u>776,851</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>776,851</u>	<u>824,024</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>824,024</u>
3.	OCHE – Appropriation Distribution Transfers (09)										
a.	Tuition Mitigation for Resident Students										
0	0	5,000,000	0	0	5,000,000	0	0	5,000,000	0	0	5,000,000
b.	Stabilization Funding for Higher Education										
0	0	44,076,457	0	0	44,076,457	0	0	45,074,019	0	0	45,074,019
c.	<u>MONTANA UNIVERSITY SYSTEM TUITION MITIGATION AND INCREASED ACCESS TO DISTANCE LEARNING FOR RESIDENT STUDENTS</u>										

	<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
	General	State	Federal	Propri-	Other	Total	General	State	Federal	Propri-	Other	Total
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
1	<u>4,103,549</u>	0	0	0	0	<u>4,103,549</u>	<u>4,103,549</u>	0	0	0	0	<u>4,103,549</u>
2	D.	<u>PBS SATELLITE DELIVERY</u>										
3	<u>200,000</u>	0	0	0	0	<u>200,000</u>	<u>200,000</u>	0	0	0	0	<u>200,000</u>
4	E.	<u>AGRICULTURAL EXPERIMENT STATION AND MONTANA EXTENSION SERVICE ADDITIONAL FUNDING</u>										
5	<u>300,000</u>	0	0	0	0	<u>300,000</u>	<u>300,000</u>	0	0	0	0	<u>300,000</u>
6	F.	<u>VIRTUAL HIGH SCHOOL</u>										
7	<u>1,120,000</u>	0	0	0	0	<u>1,120,000</u>	<u>1,120,000</u>	0	0	0	0	<u>1,120,000</u>
8	4.	OCHE – Tribal College Assistance (11)										
9	a.	Tribal College Assistance										
10	0	0	450,000	0	0	450,000	0	0	450,000	0	0	450,000
11												
12	Total											
13	0	0	51,132,646	0	0	<u>51,132,646</u>	0	0	52,195,605	0	0	<u>52,195,605</u>
14	<u>7,200,400</u>					<u>58,333,046</u>	<u>7,247,573</u>					<u>59,443,178</u>

Fiscal 2010						Fiscal 2011					
State		Federal				State		Federal			
General	Special	Special	Propri-			General	Special	Special	Propri-		
Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total
The line item appropriation for Tuition Mitigation for Resident Students is contingent upon tuition increases of 0% for the 2011 biennium for UM-Missoula GOT, MSU-Billings GOT, UM-MT Tech GOT, MSU-Great Falls GOT, UM-Helena GOT, Dawson Community College, Flathead Valley Community College, Miles Community College, MSU-Northern, UM-Western, UM-Missoula, MSU-Bozeman, UM-MT Tech, and MSU-Billings.											
The line item appropriation for Distance Learning is to be used to facilitate access and affordability of 2-year colleges by:											
(1) centralizing distance learning courses into a single unified web-based student enrollment system for admissions and financial assistance to enhance access and degree completion;											
and											
(2) coordinating with the superintendent of public instruction on at least five early college degree programs in a Montana Big Sky Career Pathway for high school students to have access to college courses in the classroom or virtually in order to obtain a high school diploma and associate degree in 5 years.											
<u>THE AMOUNT OF \$1,400,000 GENERAL FUND OVER THE BIENNIUM FOR COMMUNITY COLLEGE ASSISTANCE WILL BE DIVIDED EQUALLY BETWEEN MILES COMMUNITY COLLEGE AND DAWSON COMMUNITY COLLEGE FOR TUITION STABILIZATION AND INFRASTRUCTURE, ENERGY, AND WEATHERIZATION PROJECTS.</u>											
For OCHE--Appropriation Distribution Transfers, the House Bill No. 2 base general fund appropriations for transfers are reduced by \$44,076,457 in FY 2010 and \$45,074,019 in FY 2011.											
<u>TOTAL FISCAL YEAR 2010 EXPENDITURES FROM THE LINE ITEM STABILIZATION FUNDING FOR HIGHER EDUCATION MAY BE INCLUDED IN THE BASE BUDGET FOR THE PURPOSES OF 17-7-111 FOR THE 2013 BIENNIUM BUDGET IN ACCORDANCE WITH [SECTION 5]. THESE EXPENDITURES MAY BE FUNDED WITH GENERAL FUND IN THE PRESENT LAW BASE FOR THE 2013 BIENNIUM EXECUTIVE BUDGET IN ACCORDANCE WITH [SECTION 5].</u>											

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>						
State		Federal				State		Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-			
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	
1 TOTAL SECTION E												
2	0	0	136,795,485	0	0	136,795,485	0	0	52,195,605	0	0	52,195,605
3	<u>13,757,164</u>		<u>136,940,985</u>			<u>150,698,149</u>	<u>13,481,337</u>		<u>52,341,105</u>			<u>65,822,442</u>
4												

<u>Fiscal 2010</u>						<u>Fiscal 2011</u>					
General	State Special	Federal Special	Propri- etary	Other	Total	General	State Special	Federal Special	Propri- etary	Other	Total
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
F. LONG-RANGE PLANNING											
STATEWIDE AGENCY (9999)											
1. Long-Range Building Program – HB 5 (01)											
a. Long-Range Building Program Allocation											
0	0	7,734,914	0	0	7,734,914	0	0	7,734,914	0	0	7,734,914
		<u>6,744,914</u>			<u>6,744,914</u>			<u>6,744,914</u>			<u>6,744,914</u>
b. Long-Range Building Program Transfer											
542,586	0	0	0	0	542,586	542,586	0	0	0	0	542,586
<u>1,792,586</u>					<u>1,792,586</u>	<u>1,792,586</u>					<u>1,792,586</u>
c. Long-Range Building Program Energy Conservation Improvements Allocation											
0	0	7,094,000	0	0	7,094,000	0	0	7,094,000	0	0	7,094,000
		<u>7,519,000</u>			<u>7,519,000</u>			<u>7,519,000</u>			<u>7,519,000</u>
d. Long-Range Building Program Energy Conservation Improvements Transfer											
750,000	0	0	0	0	750,000	750,000	0	0	0	0	750,000
e. MUS Energy Conservation Improvements Allocation											
0	0	11,000,000	0	0	11,000,000	0	0	11,000,000	0	0	11,000,000

<u>Fiscal 2010</u>							<u>Fiscal 2011</u>					
	State	Federal					State	Federal				
	General	Special	Special	Propri-			General	Special	Special	Propri-		
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>
1	f.	University of Montana-Western -- Main Hall Allocation										
2	0	0	3,000,000	0	0	3,000,000	0	0	3,000,000	0	0	3,000,000
3	g.	Access Montana Transfer										
4	3,000,000	0	0	0	0	3,000,000	3,000,000	0	0	0	0	3,000,000
5	<u>1,500,000</u>					<u>1,500,000</u>	<u>1,500,000</u>					<u>1,500,000</u>
6	h.	Ruby Dam Transfer										
7	1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
8	<u>0</u>					<u>0</u>	<u>0</u>					<u>0</u>
9	h.	Energy Project Administration Transfer										
10	750,000	0	0	0	0	750,000	750,000	0	0	0	0	750,000
11	2.	Information Technology Projects -- HB 10 (02)										
12	a.	ESSC Equipment and Moving Expenses										
13	1,750,000	0	0	0	0	1,750,000	1,750,000	0	0	0	0	1,750,000
14	b.	Interoperability Montana										
15	1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
16	<u>500,000</u>					<u>500,000</u>	<u>500,000</u>					<u>500,000</u>

Fiscal 2010						Fiscal 2011					
	State		Federal		Total		State		Federal		Total
	General	Special	Special	Propri-			General	Special	Special	Propri-	
	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	
1	c. Child Support Computer System										
2	250,000	0	0	0	0	250,000	250,000	0	0	0	250,000
3	0				0	0	0				0
4	c. SOS Information Management System Transfer										
5	2,750,000	0	0	0	0	2,750,000	2,750,000	0	0	0	2,750,000
6	750,000				750,000	750,000					750,000
7	d. Replace HB 10 General Fund Transfer										
8	3,433,100	0	0	0	0	3,433,100	3,433,100	0	0	0	3,433,100
9	1,750,000				1,750,000	1,750,000					1,750,000
10	3. Treasure State Endowment Program – HB 11 (03)										
11	a. Regional Water System Transfer										
12	4,000,000	0	0	0	0	4,000,000	4,000,000	0	0	0	4,000,000
13	b. TSEP Infrastructure Transfer										
14	10,250,000	0	0	0	0	10,250,000	10,250,000	0	0	0	10,250,000
15	11,500,000				11,500,000	11,500,000					11,500,000
16	4. Other Transfers (05)										

Fiscal 2010						Fiscal 2011						
State		Federal				State		Federal				
General	Special	Special	Propri-			General	Special	Special	Propri-			
Fund	Revenue	Revenue	etary	Other	Total	Fund	Revenue	Revenue	etary	Other	Total	
1	a.	School Facilities Account (HB 152) Transfer										
2	21,500,000	0	0	0	0	21,500,000	21,500,000	0	0	0	0	21,500,000
3	b.	Southwestern Montana Veterans' Home (HB 213) Transfer										
4	1,750,000	0	0	0	0	1,750,000	1,750,000	0	0	0	0	1,750,000
5	<u>0</u>				<u>0</u>	<u>0</u>					<u>0</u>	
6	5.	Renewable Resource Grants and Loans -- HB 6 (07)										
7	a.	Water Projects Transfer										
8	1,750,000	0	0	0	0	1,750,000	1,750,000	0	0	0	0	1,750,000
9	<u>2,074,398</u>				<u>2,074,398</u>	<u>2,074,398</u>					<u>2,074,398</u>	
10	6.	Reclamation and Development Grants and Loans -- HB 7 (08)										
11	a.	Reclamation Projects Transfer										
12	500,000	0	0	0	0	500,000	500,000	0	0	0	0	500,000
13	<u>897,133</u>				<u>897,133</u>	<u>897,133</u>					<u>897,133</u>	
14												
15	Total											
16	54,975,686	0	28,828,914	0	0	83,804,600	54,975,686	0	28,828,914	0	0	83,804,600

1	<u>49,514,117</u>		<u>28,263,914</u>			<u>77,778,031</u>	<u>49,514,117</u>		<u>28,263,914</u>			<u>77,778,031</u>
2												
3	TOTAL SECTION F											
4	<u>54,975,686</u>	0	<u>28,828,914</u>	0	0	<u>83,804,600</u>	<u>54,975,686</u>	0	<u>28,828,914</u>	0	0	<u>83,804,600</u>
5	<u>49,514,117</u>		<u>28,263,914</u>			<u>77,778,031</u>	<u>49,514,117</u>		<u>28,263,914</u>			<u>77,778,031</u>
6	The \$2 million general fund transfer is into the state water project hydroelectric power generation special revenue account established in 85-1-220.											
7	The line item for the Southwestern Montana Veterans' Home is to transfer funding into the account created by HB 213.											
8												
9	TOTAL STATE FUNDING											
10	<u>426,561,689</u>	<u>21,583,958</u>	<u>672,761,217</u>	0	0	<u>820,906,855</u>	<u>420,703,267</u>	<u>21,576,615</u>	<u>400,320,102</u>	0	0	<u>542,599,984</u>
11	<u>132,905,934</u>	<u>21,592,485</u>	<u>681,408,865</u>			<u>835,907,284</u>	<u>130,060,781</u>	<u>21,584,595</u>	<u>408,427,161</u>			<u>560,072,537</u>
12	-END-											

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on March 31, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Ken (Kim) Hansen (D)
Sen. Rick Laible (R)
Sen. Jim Peterson (R)
Sen. Rick Ripley (R)
Sen. Trudi Schmidt (D)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Dave Lewis, Vice Chairman (R)
Sen. John Brueggeman (R)
Sen. Steven Gallus (D)
Sen. Bob Hawks (D)
Sen. Mitch Tropila (D)
Sen. Carol Williams (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 645, 3/26/2009

Executive Action: None

00:00:01 Chairman Bales
00:00:57 Sen. Cooney
00:01:27 Chairman Bales
Sen. Lewis, Sen. Brueggeman, Sen. Gallus, Sen. Hawks,
and Sen. Tropila now present

HEARING ON HB 645

Opening Statement by Sponsor:

00:02:59 Rep. Jon Sesso (D), HD 76, opened the hearing on HB
645, Implement receipt of and appropriate federal
stimulus and recovery funds.

EXHIBIT(fcs71a01)

EXHIBIT(fcs71a02)

00:54:12 Chairman Bales

Informational Testimony:

00:54:22 Director David Ewer, Office of Budget and Program
Planning (OBPP)

EXHIBIT(fcs71a03)

EXHIBIT(fcs71a04)

01:16:46 Chairman Bales

Questions from Committee Members and Responses:

01:16:59 Sen. Hawks
01:17:29 Rep. Sesso
01:17:48 Sen. Hawks
01:17:51 Chairman Bales
01:17:55 Sen. Cooney
01:18:29 Rep. Sesso
01:19:35 Pat Gervais, Legislative Fiscal Division (LFD)
01:20:30 Sen. Cooney
01:20:53 Rep. Sesso
01:21:58 Sen. Cooney
01:22:13 Rep. Sesso

SENATE COMMITTEE ON FINANCE AND CLAIMS

March 31, 2009

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01:22:32 Chairman Bales
01:22:33 Taryn Purdy, LFD
01:22:47 Sen. Schmidt
01:23:18 Rep. Sesso
01:23:53 Lois Steinbeck, LFD
01:24:14 Sen. Schmidt
01:24:32 Rep. Sesso

EXHIBIT(fcs71a05)

01:28:13 Sen. Barkus
01:28:21 Rep. Sesso
01:32:43 Sen. Barkus
01:33:07 Rep. Sesso
01:33:36 Chairman Bales
01:33:42 Sen. Tropila
01:33:59 Rep. Sesso
01:37:39 Sen. Williams
01:38:31 Rep. Sesso
01:42:08 Chairman Bales
01:42:09 Sen. Laible
01:43:47 Rep. Sesso
01:48:43 Sen. Laible
01:48:47 Chairman Bales
01:48:48 Sen. Lewis
01:49:51 Director Ewer, OBPP
01:49:58 Sen. Lewis
01:50:24 Director Ewer
01:50:28 Sen. Lewis
01:51:00 Director Ewer
01:51:19 Sen. Lewis
01:51:41 Director Ewer
01:51:51 Sen. Lewis
01:51:55 Director Ewer
01:55:24 Sen. Lewis
01:55:28 Chairman Bales
01:56:25 Director Ewer
01:57:49 Chairman Bales
01:58:58 Director Ewer
02:01:33 Chairman Bales
02:01:37 Sen. Wanzenried
02:02:56 Rep. Sesso
02:03:30 Sen. Wanzenried
02:03:52 Rep. Sesso
02:04:12 Sen. Wanzenried
02:04:38 Rep. Sesso
02:06:17 Sen. Wanzenried
02:06:45 Rep. Sesso
02:06:49 Sen. Wanzenried
02:07:07 Rep. Sesso
02:07:38 Sen. Wanzenried

SENATE COMMITTEE ON FINANCE AND CLAIMS

March 31, 2009

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02:07:39 Chairman Bales
02:07:49 Sen. Zinke
02:09:14 Rep. Sesso
02:16:01 Sen. Zinke
02:18:24 Rep. Sesso
02:22:50 Sen. Zinke
02:23:08 Chairman Bales

02:24:41 Recess
02:41:23 Reconvene

02:41:47 Chairman Bales

Section A - General Government:

Public Testimony:

02:43:02 Patrick Connell, Rocky Mountain Log Homes
02:46:22 Geoffrey Feiss, Montana Telecommunications Association
02:52:52 Kathleen Driscoll, Ravalli County Commissioner
02:53:46 Chere Jiusto, Montana Preservation Alliance

EXHIBIT(fcs71a06)

Questions from the Committee and Responses:

02:59:53 Sen. Lewis
03:00:10 Bruce Brensdal, Department of Commerce (COM)
03:01:02 Sen. Lewis
03:01:07 Chairman Bales
03:01:11 Sen. Barrett
03:01:45 Ms. Jiusto
03:02:57 Chairman Laible
03:03:01 Sen. Laible
03:03:30 Mr. Feiss
03:03:48 Sen. Laible
03:04:07 Mr. Feiss
03:04:36 Sen. Laible
03:04:58 Mr. Feiss
03:05:32 Chairman Bales
03:05:51 Harold Blattie, Montana Association of Counties (MACo)
03:09:40 Alec Hansen, Montana League of Cities and Towns
03:13:31 Chairman Bales

Section B - Public Health and Human Services:

Public Testimony:

03:14:19 Travis Hoffman, Independent Living Centers
03:16:52 Mark Sanders, Brain Injury Association of Montana
EXHIBIT(fcs71a07)

03:18:28 Anita Roessmann, Disability Rights Montana, Brain
Injury Association of Montana
EXHIBIT(fcs71a08)

03:22:30 Kathy McGowan, Sheriffs and Peace Officers Association
and County Attorneys Association
03:24:49 Jim Martin, Human Resource Council, Missoula and
Ravalli Counties
03:26:33 Joe Kiely, Helena YWCA
EXHIBIT(fcs71a09)

03:27:59 Kate Bradford, Montana Food Bank Network
EXHIBIT(fcs71a10)
EXHIBIT(fcs71a11)

03:33:24 Susan Dow, Developmental Disability Childrens Service
Providers
03:34:26 Jan Cahill, Montana Association of Community Disability
Services
03:35:13 Rose Hughes, Montana Health Care Association
03:41:03 Linda Stoll, Area Agencies on Aging
EXHIBIT(fcs71a12)

03:47:27 Mike Foster, Wheatland Memorial Hospital and Catholic
Hospitals of Montana
03:49:41 Marco Ferro, MEA-MFT
03:50:48 Bob Olson, Montana Hospital Association
03:54:15 Steve Nelson, Montana Childrens Initiative
03:56:34 Chairman Bales

03:57:46 Recess 12:00 p.m.

03:58:02 Reconvene 5:23 p.m.

03:58:19 Vice-Chair Lewis

Chairman Bales, Sen. Brueggeman, Sen. Esp, Sen.
Peterson and Sen. Wanzenried not present

Section D - Public Safety and Justice:

Public Testimony:

03:58:46 Lois Menzies, Court Administrator, Supreme Court

Questions from the Committee and Responses:

04:01:53 Sen. Zinke
04:02:05 Ms. Menzies
04:02:16 Sen. Zinke
04:02:29 Ms. Menzies
04:03:08 Sen. Zinke
04:03:43 Ms. Menzies
04:04:10 Sen. Laible
04:04:29 Ms. Menzies
04:05:22 Sen. Laible
04:06:10 Sen. Lewis

Public Testimony:

04:06:17 Mary Phippen, Montana Association of Clerks of District
Court and Montana Magistrates Association

Section E - Education:

04:07:16 Kris Wilkinson, LFD

EXHIBIT(fcs71a13)

EXHIBIT(fcs71a14)

04:12:00 Vice-Chair Lewis
04:12:08 Sen. Ripley
04:12:24 Ms. Wilkinson
04:12:34 Sen. Ripley
04:12:41 Ms. Wilkinson

Public Testimony:

04:12:55 Denise Juneau, State Superintendent of Public
Instruction
04:13:05 Frank Polobnik, Office of Public Instruction (OPI)
04:13:36 Sen. Ripley
04:13:39 Mr. Podobnik, OPI
04:15:06 Sen. Lewis
04:15:14 Superintendent Juneau

EXHIBIT(fcs71a15)

Questions from the Committee and Responses:

04:22:09 Sen. Hawks
04:22:36 Superintendent Juneau
04:23:08 Sen. Tropila
04:23:28 Superintendent Juneau
04:24:15 Sen. Tropila
04:24:31 Superintendent Juneau
04:25:33 Sen. Tropila
04:25:47 Superintendent Juneau
04:27:00 Sen. Tropila
04:27:03 Vice-Chair Lewis
04:27:31 Superintendent Juneau
04:27:41 Vice-Chair Lewis

Public Testimony:

04:27:51 Mr. Ferro, MEA-MFT

Questions from the Committee and Responses:

04:31:34 Sen. Laible
04:32:18 Mr. Ferro
04:33:28 Sen. Laible
04:33:35 Mr. Ferro
04:33:45 Sen. Laible
04:33:54 Mr. Ferro
04:33:58 Sen. Laible
04:34:05 Mr. Ferro
04:34:26 Sen. Ripley
04:34:45 Mr. Ferro
04:35:03 Sen. Ripley
04:35:37 Rep. Sesso
04:35:57 Sen. Tropila
04:36:18 Rep. Sesso
04:36:24 Ms. Wilkinson, LFD
04:36:32 Vice-Chair Lewis
04:36:42 Sen. Zinke
04:37:04 Sen. Peterson now present
04:37:22 Mr. Ferro
04:37:40 Jane Karas, President, Flathead Valley Community
College
04:38:32 Sen. Zinke
04:38:37 Ms. Karas
04:39:22 Vice-Chair Lewis

Public Testimony:

04:39:28 Sheila Stearns, Commissioner of Higher Education
04:42:32 Mary Sheehy Moe, Deputy Commissioner for Two-Year
Education

Questions from the Committee and Responses:

04:45:38 Sen. Zinke
04:46:20 Ms. Moe
04:47:06 Sen. Zinke
04:47:22 Ms. Moe
04:47:39 Roberta Evans, Dean of Education, University of
Montana
04:48:36 Sen. Zinke
04:49:11 Vice-Chair Lewis
04:49:45 Ms. Evans
04:52:00 Vice-Chair Lewis
04:52:06 Sen. Laible
04:52:22 Ms. Evans
04:52:35 Sen. Laible
04:52:50 Ms. Evans
04:53:20 Sen. Laible
04:53:23 Vice-Chair Lewis
04:53:33 Sen. Ripley
04:54:06 Mick Robinson, Deputy Commissioner for Administrative
and Fiscal Affairs
04:54:41 Rep. Sesso
04:55:41 Vice-Chair Lewis
04:55:55 Commissioner Stearns
04:56:18 Vice-Chair Lewis

Public Testimony:

04:56:29 Dave Puyear, Montana Rural Education Association (MREA)
05:02:06 Vice-Chair Lewis
05:02:13 Ms. Karas
05:05:19 Vice-Chair Lewis
05:05:24 Edward Black, Montana School Boards Association (MSBA)
05:06:37 Tim Tolman, CTA Architects
05:08:39 Vice-Chair Lewis
05:08:45 Terry Kendrick, Montana Indian Education Association
05:09:57 Vice-Chair Lewis

Questions from the Committee and Responses:

05:10:10 Sen. Barkus
05:10:57 Ms. Karas
05:11:09 Vice-Chair Lewis

SENATE COMMITTEE ON FINANCE AND CLAIMS
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05:11:48 Chairman Bales
05:11:52 Rep. Sesso
05:12:20 Sen. Tropila
05:12:33 Chairman Bales
05:13:47 Sen. Tropila
05:13:53 Chairman Bales
05:14:48 Sen. Tropila
05:14:50 Sen. Schmidt
05:15:00 Chairman Bales
05:15:47 Rep. Villa
05:15:51 Chairman Bales

ADJOURNMENT

Adjournment: 6:41 P.M.

Prudence Gildroy, Secretary

pg

Additional Documents:

EXHIBIT(fcs71aad.pdf)

MONTANA STATE SENATE
Roll Call
FINANCE AND CLAIMS COMMITTEE

DATE: 3.31.07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR KEITH BALES, CHAIRMAN	✓	
SENATOR DAVE LEWIS, VICE CHAIRMAN		✓
SENATOR GREGORY BARKUS	✓	
SENATOR DEBBY BARRETT	✓	
SENATOR JOHN BRENDEN	✓	
SENATOR JOHN BRUEGGEMAN		✓
SENATOR MIKE COONEY	✓	
SENATOR JOHN ESP	✓	
SENATOR STEVE GALLUS		✓
SENATOR KEN HANSEN	✓	
SENATOR BOB HAWKS		✓
SENATOR RICK LAIBLE	✓	
SENATOR JIM PETERSON	✓	
SENATOR RICK RIPLEY	✓	
SENATOR TRUDI SCHMIDT	✓	
SENATOR MITCH TROPILA		✓
SENATOR DAVID WANZENRIED	✓	
SENATOR CAROL WILLIAMS		✓
SENATOR RYAN ZINKE	✓	

Exhibit No. 1

Date 3-31-09

Type of Authority	Original		House Appropriations		General Fund Difference
	Federal Expenditure	General Fund Expenditure	Federal Expenditure	General Fund Expenditure	
Federal Silos					
A - General Government					
Community Development Block Grant	1,829,878		1,829,878		-
HOUSING CREDIT EXCHANGE	30,778,500		30,778,500		-
TAX CREDIT ASSISTANCE PROGRAM	7,818,360		7,818,360		-
B - Public Health and Human Services					
Aging Services Programs	500,000		500,000		-
Child Care Development Block Grant	5,747,366	(2,043,882)	5,747,366	(2,043,882)	-
Community Services Block Grant	4,512,000		4,512,000		-
CSED - TEMP RESTORE FED MATCHING FUNDS	4,306,325	(4,306,325)	4,306,325	(4,306,325)	-
Emergency Food Assistance	87,333		87,333		-
FMAP	155,000,000	(155,000,000)	163,000,000	(146,000,000)	9,000,000
Revenue impacts resulting from FMAP		(3,000,000)		(14,000,000)	(11,000,000)
Food Distribution on Reservations	154,000		154,000		-
Homeless Prevention/Emergency Food & Shelter	3,750,000		3,750,000		-
IDEA Infants and Families	2,139,843		2,139,843		-
Prevention and Wellness Fund	4,200,000		4,200,000		-
SNAP - Food Stamps	48,902,281		48,902,281		-
TANF Emergency Funds	5,590,201		5,590,201		-
Transitions Coordinator (Restricted)			100,023		-
VISTA	100,000		100,000		-
Vocational Rehab State Grants	2,315,737		2,215,714		-
Weatherization	27,059,681		27,059,681		-
WIC	1,483,000		1,483,000		-
Indian Property Exclusion in Medicaid Determination (Required by ARRA)			1,483,646	541,952	541,952
Transitional Medicaid (Optional in ARRA)			1,222,348	444,452	444,452
C - Natural Resource and Transportation					
HIGHWAY FUNDING	220,000,000		220,000,000		-
TRANSIT FORMULA FUNDING	15,611,710		15,611,710		-
Clean Water SRF - Admin	689,862		689,862		-
Diesel Emissions Reduction Act (DERA) Grant	1,700,000		1,700,000		-
Drinking Water SRF - Admin	1,844,427		1,844,427		-
Energy Efficiency Block Grant	7,577,000		7,577,000		-
EPA FUNDING FOR CLEAN WATER SRF	10,405,146		10,405,146		-
EPA FUNDING FOR DRINKING WATER SRF	10,680,852		10,680,852		-
LEAKING UNDERGROUND STORAGE TANKS	2,000,000		2,000,000		-
State Energy Programs	8,712,000		8,712,000		-
USFS State and Private Forestry Assistance	5,000,000		5,000,000		-
Water Quality Grant	193,886		193,886		-
D - Public Safety and Justice					
AMERICORPS	500,000		500,000		-
BILLINGS - WATER RECYCLER	18,500		18,500		-
Byrne/JAG	3,165,819		3,165,819		-
COMMUNITY SERVICE EMPLOY FOR OLDER AMERICANS	147,000		147,000		-
Crime Victims	564,000		564,000		-
Crime Victims Compensation Grant			181,164		-
CULBERTSON - FEMALE LATRINES	225,900		225,900		-
EMPLOYMENT SERVICES (Wagner-Peyser)	1,104,669		1,104,669		-
EXTEND EMERGENCY UNEMPLOYMENT COMP PGM	1,968,103		1,968,103		-
FT. HARRISON - HELICOPTER DIP SITE	279,268		279,268		-
FT. HARRISON BLDG. 412 MECHANICAL	30,000		30,000		-
INCREASE IN UNEMPLOYMENT COMPENSATION PGM	190,628		190,628		-
INTERNET CRIMES AGAINST CHILDREN GRANTS	403,670		403,670		-
MALTA - FEMALE LATRINES	225,900		225,900		-
REEMPLOYMENT SERVICES TO BENEFIT UI CLAIMANTS	1,841,114		1,841,114		-
TRANSFER FOR UNEMPLOYMENT COMP MODERNIZATION	495,019		495,019		-
SPECIAL TRANSFER IN FFY2009 FOR ADMIN	1,394,696		1,394,696		-
STATEWIDE - VAULT MODIFICATIONS	500,000		500,000		-
TEMP EXTENSION OF TAA	186,827		186,827		-
TEMPORARY EXTENSION OF TAA	1,603,656		1,603,656		-
Violence Against Women Grants	916,955		916,955		-
WIA ADULT	1,246,876		1,246,876		-
WIA DW	1,728,008		1,728,008		-
WIA YOUTH	2,947,501		2,947,501		-

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Type of Authority	Original		House Appropriations		General Fund Difference
	Federal Expenditure	General Fund Expenditure	Federal Expenditure	General Fund Expenditure	
E - Education					
IDEA Part-B (Sect 611) FY 2010-11	35,472,241		35,472,241		-
IDEA Part-B (Sect 619 Pre-Schl) FY 2010-11	1,260,947		1,260,947		-
IDEA-Part-B (Sect 611) FY 2010-11	1,235,815		1,235,815		-
McKinney-Vento (Homeless Assist) FY 2010-11	224,000		224,000		-
National Endowment for the Arts			291,000		-
School Nutrition - Equip FY 2010-11	247,461		247,461		-
Title I-A FY 2009	34,650,000		34,650,000		-
Title I-A Improvement FY 2009	9,363,000		9,363,000		-
Title II-D Ed Technology FY 2009	3,209,375		3,209,375		-
F - Long Range					
** Long-Range Building Program - Energy Projects	14,188,000		15,038,000		-
MUS	9,700,000		9,700,000		-
Subtotal federal silos not including stabilization funds	721,924,336	(164,350,207)	733,952,494	(165,363,803)	(1,013,596)
Stabilization Funds					
General Government funds - funding = 27,061,542					
A - General Government - Economic Development					
** New Worker Training (half in December 15)	7,994,722		7,994,722		-
** Tribal Economic Development	1,596,992		1,596,992		-
B - Public Health and Human Services					
County Health Grants - Asbestos	2,000,000		2,000,000		-
F - Long Range - infrastructure					
** HB 5 replace GF OTO with Stabilization funds	5,200,000		5,200,000		-
Add projects to HB 5 with Stabilization funds	10,269,828		8,289,828		-
Education Stabilization - all section E - funding = 121,612,251					
Additional HB 5 projects for MUS	12,300,000		12,300,000		-
UM - Western - Main Hall (LRBP)	6,000,000		6,000,000		-
Distance Learning	2,000,000		2,000,000		-
Community College Assistance - Dec 15	1,277,775		1,277,775		-
Tribal College Assistance	900,000		900,000		-
Tuition Mitigation for Resident Students	10,000,000		10,000,000		-
Maintain Support for Higher Education	89,150,476	(89,150,476)	89,150,476	(89,150,476)	-
Subtotal General Fund Available from Stabilization	148,689,793	(89,150,476)	146,709,793	(89,150,476)	-
Total ARRA Funds	870,614,129	(253,500,683)	880,662,287	(254,514,279)	(1,013,596)

Approved For
Distribution
By: Ed Iris



OVERVIEW

HB 645 – FEDERAL STIMULUS FUNDS AUTHORIZATION

HB 645 contains the appropriations for the federal “American Recovery and Reinvestment Act (ARRA) of 2009 that are allocated to the State of Montana to be used for the purpose of stimulating economic recovery. It also includes amendments to statute that are needed to implement the provisions of the federal stimulus act. This report provides a summary of the funds made available to Montana through the federal stimulus act, and specifically the funds that are appropriated through HB 647 as approved by the House Appropriations Committee.

The following pages contain tables that summarize the following:

- Fiscal Stabilization Funds
- Sources of Freed-up General Fund
- Allocations of Freed-up General Fund

The body of this report includes an explanation of funds included in HB 645 by section and by agency. It includes a brief description of the funds for each agency as follows:

- Purpose of funds
- Statutory changes, if any
- Conditions and limitations on funds
- Description of each decision package (specific appropriation) in the bill

The program sections of this narrative are as follows:

- General Government
- Health and Human Services
- Natural Resources and Transportation
- Judiciary, Law Enforcement, and Justice
- Education

WHAT IS THE IMPACT TO MONTANA?

The following shows the estimated total impact to Montana of the economic stimulus package. Included in the table is anticipated additional unemployment insurance benefits that do not require an appropriation, as well as the tax impact as estimated by the Montana Department of Revenue. As shown, the impact of funds flowing through state government and estimated tax impacts is over \$1.6 billion. Please note that this does not include any funds that individuals or groups in Montana would receive directly from federal sources.

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Figure 1

Federal Stimulus Funds
Total Montana Impact
FY 2009 through FY 2011

Funds	2011 Biennium
<u>House Bill 645</u>	
Total Federal Funds in HB 645	\$1,081,836,026
Minus Medicaid Caseload Spike	<u>(202,467,190)</u>
Total HB 645	\$879,368,836
<u>Other State Stimulus Funds</u>	
Additional Unemployment Insurance	<u>207,129,149</u>
Total Federal Funds from Stimulus in State Budget	\$1,086,497,985
Estimated Tax Relief Provisions for Montanans*	<u>575,713,000</u>
Total State Impact	<u>\$1,662,210,985</u>

*Source: Montana Department of Revenue

FISCAL STABILIZATION FUNDS

Most of the federal funds are allocated for specific purposes. However, over \$148 million is provided as state fiscal stabilization funds. Over 81 percent, or over \$121 million, must be used for various education purposes. The remaining \$27 million can be used for priorities of the legislature's choosing. The following figure shows where these funds are allocated in HB 645.

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Figure 2

Fiscal Stabilization Funds
HB 645 through HAC
2011 Biennium

Department/Purpose	<i>Other Government Services Fund</i>		
Department of Commerce			
New Worker Training	3,997,361	3,997,361	7,994,722
Tribal Economic Development	798,496	798,496	1,596,992
Department of Public Health & Human Services			
County Health Grants Asbestos 11B	1,000,000	1,000,000	2,000,000
Long Range Planning			
LRBP HB 5			
LRBP Allocation	7,734,914	7,734,914	15,469,828
Subtotal - Other Government Services	13,530,771	13,530,771	27,061,542
Department/Purpose	<i>Education Fund</i>		
Higher Education			
Distance Learning	1,000,000	1,000,000	2,000,000
Community College Assistance	606,189	671,586	1,277,775
Tuition Mitigation for Resident Students	5,000,000	5,000,000	10,000,000
Stabilization Funding**	44,076,457	45,074,019	89,150,476
Tribal College Assistance	450,000	450,000	900,000
Subtotal - Section E	51,132,646	52,195,605	103,328,251
Long Range Planning			
LRBP HB 5			
MUS Energy Conservation Improvements	6,150,000	6,150,000	12,300,000
UMWestern Main Hall	3,000,000	3,000,000	6,000,000
Subtotal - Section F	9,150,000	9,150,000	18,300,000
Subtotal - Section E & F	60,282,646	61,345,605	121,628,251
Grand Total State Fiscal Stabilization Funds	<u>\$73,813,417</u>	<u>\$74,876,376</u>	<u>\$148,689,793</u>

**Frees up general fund.

SOURCES OF FREED-UP GENERAL FUND

In addition to the direct federal funds, the stimulus bill provides funding that allows the state to replace general fund with federal funds, thereby freeing up the general fund for other uses of the legislature's choice. The following shows the sources of freed-up general fund as a result of the federal stimulus. As shown, the legislature has over \$250 million of additional general fund.

Figure 3

Sources of Freed-Up General Fund
HB 645 as Introduced Through HAC

Source	Total
Appropriated Funds	
DPHHS	
Human and Community Services Division	\$2,043,882
Child Support Enforcement Division	4,306,325
FMAP Increase - Health Resources Division	155,000,000
Higher Education	-
Appropriation Distribution Transfers*	<u>89,150,476</u>
Total General Fund Freed-Up from Appropriations	\$250,500,683
Unallocated Appropriated	
FMAP Increase - Institutional Reimburse.	<u>3,207,224</u>
Total Additional General Fund	<u>\$253,707,907</u>

*Fiscal stabilization funds.

ALLOCATIONS OF GENERAL FUND

Figure 4 shows the allocation of the freed-up general fund in HB 645, as approved by the House Appropriations Committee.

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Figure 4

General Fund
HB 645 Comparison

Agency/Purpose	Introduced	Appropriations	Difference
<u>Governor's Office</u>			
Pay Plan Contingency	\$4,000,000	\$4,000,000	\$0
Pay Plan Training	75,000	75,000	0
Pay Plan OTO Payment	3,065,451	3,065,451	0
<u>DofA</u>			
Teacher's Retirement	43,000,000	0	(43,000,000)
High Performance Computing	2,000,000	2,000,000	0
<u>Commerce</u>			
Main Street	250,000	250,000	0
Distressed Wood Products	7,500,000	7,500,000	0
Indian Country Economic Development	0	3,000,000	3,000,000
Energy Promotion Division	910,000	910,000	0
Biomass Energy Study	0	500,000	500,000
County Projects	0	10,000,000	10,000,000
Municipal Projects	0	10,000,000	10,000,000
Montana Agro-Energy Industrial Park	0	400,000	400,000
Broadband Matching Grants	5,000,000	5,000,000	0
Historic Preservation Competitive Grants	0	3,000,000	3,000,000
<u>DPHHS</u>			
Food for Food Banks	0	500,000	500,000
Homeless Prevention/Emergency Food & Shelter - General Fund	0	1,500,000	1,500,000
Provider Rate Increase	0	4,000,000	4,000,000
Health Information Technology	750,000	750,000	0
Medicaid Caseload	60,000,000	60,000,000	0
Sustain System of Care and Kids Management Authorities	0	667,000	667,000
Indian Property Exclusion in Medicaid Determination	0	541,952	541,952
Transitional Medicaid	0	444,452	444,452
Nonmedicaid Community Aging Services	0	3,000,000	3,000,000
Mental Health Crisis Division Pilot Program	0	4,000,000	4,000,000
<u>DEQ</u>			
Enforcement Division Admin	99,354	99,354	0
Permitting and Compliance Div Admin	727,712	727,712	0
Permitting and Compliance Div Admin 09	101,500	101,500	0
<u>DNRC</u>			
Water Project Admin	460,000	460,000	0
Flood Damage Mitigation Assistance Program	0	2,000,000	2,000,000
Blackfeet Water Compact	4,000,000	4,000,000	0
Fort Belknap Water Compact	1,000,000	1,000,000	0
<u>Agriculture</u>			
Invasive Species	667,000	0	(667,000)
<u>Judiciary</u>			
Self-Help Law Program	0	495,000	495,000
<u>Justice</u>			
License Plate Reissue	321,250	0	(321,250)
Meth Watch	500,000	0	(500,000)
<u>Corrections</u>			
License Plate Reissue	2,886,308	0	(2,886,308)
Remove Vacancy Savings for 24-7 Staff/Reduce Overtime	0	2,712,559	2,712,559

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General Fund
HB 645 Comparison (Continued)

Agency/Purpose	Introduced	Appropriations	Difference
<u>Office of Superintendent of Public Instruction</u>			
Special Education - Maintenance of Effort - FY 2009	0	2,467,528	2,467,528
Flex Fund	0	10,000,000	10,000,000
<u>Montana Library Commission</u>			
Expansion of Reading Services for the Blind	0	323,000	323,000
<u>Montana University System, Including Office of Commissioner of Higher Education and Educational Units and Agencies</u>			
Community College Assistance	0	1,400,000	1,400,000
Community College Tuition Mitigation	0	1,600,875	1,600,875
Montana University System Tuition Mitigation and Increased Access to Distance Learning for Resident Students	0	8,207,098	8,207,098
PBS Satellite Delivery	0	400,000	400,000
Agricultural Experiment Station and Montana Extension Service Additional Funding	0	600,000	600,000
Virtual High School	0	2,240,000	2,240,000
<u>Long Range Planning HB 5</u>			
LRBP Transfer	1,085,172	3,585,172	2,500,000
LRBP Energy Conservation Improvements	1,500,000	1,500,000	0
FWP - Access Montana	6,000,000	3,000,000	(3,000,000)
Ruby Dam	2,000,000	0	(2,000,000)
Energy Project Administration	1,500,000	1,500,000	0
<u>Long Range Planning HB 10 IT</u>			
ESSC Equipment and Moving	3,500,000	3,500,000	0
Interoperability Montana	2,000,000	1,000,000	(1,000,000)
Child Support Computer	500,000	0	(500,000)
SOS Information Management System	5,500,000	1,500,000	(4,000,000)
Replace HB 10 GF Transfer	6,866,200	3,500,000	(3,366,200)
<u>Long Range Planning HB 11 TSEP</u>			
Regional Water System	8,000,000	8,000,000	0
TSEP Infrastructure	20,500,000	23,000,000	2,500,000
<u>Long Range Planning Other Transfers</u>			
School Facilities HB 152	43,000,000	43,000,000	0
SW Montana Vets Home HB 213	3,500,000	0	(3,500,000)
<u>Long Range Planning Renewable Resource</u>			
Water Projects	3,500,000	4,148,796	648,796
<u>Long Range Reclamation and Development</u>			
Reclamation Projects	1,000,000	1,794,266	794,266
Grand Total	\$247,264,947	\$262,966,715	(\$15,701,768)

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HB 645 Summary

SENATE FINANCE & CLAIMS

Exhibit No. 3Date 3-31-09Bill No. HB 645

Type of Authority	Original		House Appropriations		General Fund Difference
	Federal Expenditure	General Fund Expenditure	Federal Expenditure	General Fund Expenditure	
Federal Silos					
A - General Government					
Community Development Block Grant	1,829,878		1,829,878		-
Housing Credit Exchange	30,778,500		30,778,500		-
Tax Credit Assistance Program	7,818,360		7,818,360		-
B - Public Health and Human Services					
Aging Services Programs	500,000		500,000		-
Child Care Development Block Grant	5,747,366	(2,043,882)	5,747,366	(2,043,882)	-
Community Services Block Grant	4,512,000		4,512,000		-
CSED - Restore Federal Matching Funds	4,306,325	(4,306,325)	4,306,325	(4,306,325)	-
Emergency Food Assistance	87,333		87,333		-
FMAP	155,000,000	(155,000,000)	163,000,000	(146,000,000)	9,000,000
Revenue impacts resulting from FMAP		(3,000,000)		(14,000,000)	(11,000,000)
Food Distribution on Reservations	154,000		154,000		-
Homeless Prevention/Emergency Food & Shelter	3,750,000		3,750,000		-
IDEA Infants and Families	2,139,843		2,139,843		-
Prevention and Wellness Fund	4,200,000		4,200,000		-
SNAP - Food Stamps	48,902,281		48,902,281		-
TANF Emergency Funds	5,590,201		5,590,201		-
Transitions Coordinator (Restricted)			100,023		-
VISTA	100,000		100,000		-
Vocational Rehab State Grants	2,315,737		2,215,714		-
Weatherization	27,059,681		27,059,681		-
Women, Infants and Children	1,483,000		1,483,000		-
Indian Property Exclusion in Medicaid Determination (Required by ARRA)			1,483,646	541,952	541,952
Transitional Medicaid (Optional in ARRA)			1,222,348	444,452	444,452
C - Natural Resource and Transportation					
Highway Funding	220,000,000		220,000,000		-
Transit formula funding	15,611,710		15,611,710		-
Clean Water SRF - Admin	689,862		689,862		-
Diesel Emissions Reduction Act (DERA) Grant	1,700,000		1,700,000		-
Drinking Water SRF - Admin	1,844,427		1,844,427		-
Energy Efficiency Block Grant	7,577,000		7,577,000		-
EPA FUNDING FOR CLEAN WATER SRF	10,405,146		10,405,146		-
EPA FUNDING FOR DRINKING WATER SRF	10,680,852		10,680,852		-
LEAKING UNDERGROUND STORAGE TANKS	2,000,000		2,000,000		-
State Energy Programs	8,712,000		8,712,000		-
USFS State and Private Forestry Assistance	5,000,000		5,000,000		-
Water Quality Grant	193,886		193,886		-
D - Public Safety and Justice					
AMERICORPS	500,000		500,000		-
BILLINGS - WATER RECYCLER	18,500		18,500		-
Byrne/JAG	3,165,819		3,165,819		-
COMMUNITY SERVICE EMPLOY FOR OLDER AMERICANS	147,000		147,000		-
Crime Victims	564,000		564,000		-
Crime Victims Compensation Grant			181,164		-
CULBERTSON - FEMALE LATRINES	225,900		225,900		-
EMPLOYMENT SERVICES (Wagner-Peyser)	1,104,669		1,104,669		-
EXTEND EMERGENCY UNEMPLOYMENT COMP PGM	1,968,103		1,968,103		-
FT. HARRISON - HELICOPTER DIP SITE	279,268		279,268		-
FT. HARRISON BLDG. 412 MECHANICAL	30,000		30,000		-
INCREASE IN UNEMPLOYMENT COMPENSATION PGM	190,628		190,628		-
INTERNET CRIMES AGAINST CHILDREN GRANTS	403,670		403,670		-
MALTA - FEMALE LATRINES	225,900		225,900		-
REEMPLOYMENT SERVICES TO BENEFIT UI CLAIMANTS	1,841,114		1,841,114		-
TRANSFER FOR UNEMPLOYMENT COMP MODERNIZATION	495,019		495,019		-
SPECIAL TRANSFER IN FFY2009 FOR ADMIN	1,394,696		1,394,696		-
STATEWIDE - VAULT MODIFICATIONS	500,000		500,000		-
TEMP EXTENSION OF TAA	186,827		186,827		-
TEMPORARY EXTENSION OF TAA	1,603,656		1,603,656		-
Violence Against Women Grants	916,955		916,955		-
WIA ADULT	1,246,876		1,246,876		-
WIA DW	1,728,008		1,728,008		-
WIA YOUTH	2,947,501		2,947,501		-

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HB 645 Summary



Type of Authority	Original		House Appropriations		General Fund Difference
	Federal Expenditure	General Fund Expenditure	Federal Expenditure	General Fund Expenditure	
E - Education					
IDEA Part-B (Sect 611) FY 2010-11	35,472,241		35,472,241		-
IDEA Part-B (Sect 619 Pre-Schl) FY 2010-11	1,260,947		1,260,947		-
IDEA-Part-B (Sect 611) FY 2010-11	1,235,815		1,235,815		-
McKinney-Vento (Homeless Assist) FY 2010-11	224,000		224,000		-
National Endowment for the Arts			291,000		-
School Nutrition - Equip FY 2010-11	247,461		247,461		-
Title I-A FY 2009	34,650,000		34,650,000		-
Title I-A Improvement FY 2009	9,363,000		9,363,000		-
Title II-D Ed Technology FY 2009	3,209,375		3,209,375		-
F - Long Range					
** Long-Range Building Program - Energy Projects	14,188,000		15,038,000		-
MUS	9,700,000		9,700,000		-
Subtotal federal silos not including stabilization funds	721,924,336	(164,350,207)	733,952,494	(165,363,803)	(1,013,596)
Stabilization Funds					
General Government funds - funding = 27,061,542					
A - General Government - Economic Development					
** New Worker Training (half in December 15)	7,994,722		7,994,722		-
** Tribal Economic Development	1,596,992		1,596,992		-
B - Public Health and Human Services					
County Health Grants - Asbestos	2,000,000		2,000,000		-
F - Long Range - infrastructure					
** HB 5 replace GF OTO with Stabilization funds	5,200,000		5,200,000		-
Add projects to HB 5 with Stabilization funds	10,269,828		8,289,828		-
Education Stabilization - all section E - funding = 121,612,251					
Additional HB 5 projects for MUS	12,300,000		12,300,000		-
UM - Western - Main Hall (LRBP)	6,000,000		6,000,000		-
Distance Learning	2,000,000		2,000,000		-
Community College Assistance - Dec 15	1,277,775		1,277,775		-
Tribal College Assistance	900,000		900,000		-
Tuition Mitigation for Resident Students	10,000,000		10,000,000		-
Maintain Support for Higher Education	89,150,476	(89,150,476)	89,150,476	(89,150,476)	-
Subtotal General Fund Available from Stabilization	148,689,793	(89,150,476)	146,709,793	(89,150,476)	-
Total ARRA Funds	870,614,129	(253,500,683)	880,662,287	(254,514,279)	(1,013,596)



HB 645 Summary



Type of Authority	Original		House Appropriations		General Fund Difference
	Federal Expenditure	General Fund Expenditure	Federal Expenditure	General Fund Expenditure	
General Fund Expenditures					
A - General Government					
BROADBAND MATCHING GRANTS		5,000,000		5,000,000	-
COUNTY PROJECTS				10,000,000	10,000,000
DISTRESSED WOOD PRODUCT INDUSTRY		7,500,000		7,500,000	-
** ENERGY PROMOTION AND DEVELOPMENT PROGRAM		910,000		910,000	-
** HB 13 - Pay Plan		7,140,451		7,140,451	-
** High Performance Computing (December 15 was \$660,000)		2,000,000		2,000,000	-
HISTORIC PRESERVATION COMPETITIVE GRANTS				3,000,000	3,000,000
** MAIN STREET PROGRAM (OTO)		250,000		250,000	-
MONTANA AGRO-ENERGY INDUSTRIAL PARK (RST)				400,000	400,000
MUNICIPAL PROJECTS				10,000,000	10,000,000
Self-Help Law Program				495,000	495,000
Teachers' Retirement System		43,000,000			(43,000,000)
TRIBAL ECONOMIC DEVELOPMENT STIMULUS				3,000,000	3,000,000
B - Public Health and Human Services					
Food for Food Banks (Restricted)				500,000	500,000
** Health Information Technology FY 2010-11		750,000		750,000	-
Homeless Prevention/Emergency Food & Shelter GF (Restricted)				1,500,000	1,500,000
Medicaid Caseload - Federal match = \$209 million	202,467,190	60,000,000	202,467,190	60,000,000	-
Mental Health Crisis Diversion Pilot Program (Restricted)				4,000,000	4,000,000
Nonmedicaid Community Aging Services (Restricted)				3,000,000	3,000,000
* Provider Rate Increase - contingent of reversions exceeding estimate			6,706,549	4,000,000	4,000,000
Sustain System of Care & Kids Management Authorities (RST)				667,000	667,000
*** Mental Health Crisis Diversion Pilot Program (Restricted)				1,000,000	1,000,000
C - Natural Resource and Transportation					
** BLACKFEET WATER COMPACT IMPLEMENTATION		4,000,000		4,000,000	-
Enforcement Div Admin- Fed Stimulus		99,354		99,354	-
Flood Mitigation				2,000,000	2,000,000
** FORT BELKNAP WATER COMPACT IMPLEMENTATION		1,000,000		1,000,000	-
FY 09 PERMITTING AND COMPLIANCE DIV ADMIN		101,500		101,500	-
** INVASIVE SPECIES (BIEN/OTO)		667,000			(667,000)
PERMITTING AND COMPLIANCE DIV ADMIN - FED STIMULUS		727,712		727,712	-
Water Project Administration		460,000		460,000	-
D - Public Safety and Justice					
** License Plate Reissuo - Restricted, Biennial, OTO		2,886,308			(2,886,308)
** License Plate Reissue - Restricted/OTO		321,250			(321,250)
** Methamphetamine Watch - Restricted/Biennial/OTO		500,000			(500,000)
Remove Vacancy Savings 24-7 Staff/Reduce Overtime				2,565,714	2,565,714
E - Education					
Ag Exper Station & Ext Svc Add'l Funding				600,000	600,000
Community College Assistance (RST/OTO)				1,400,000	1,400,000
Community Colleges Tuition Mitigation				1,600,875	1,600,875
Flex Fund				10,000,000	10,000,000
MUS Tuition Mitigation&Increased Access to Distance Learn				8,207,098	8,207,098
Virtual High School				2,240,000	2,240,000
Expansion of Reading Services for the Blind - State Library				323,000	323,000
PBS Satellite Delivery				400,000	400,000
Special Education - Maintenance of Effort FY 2009				2,467,528	2,467,528
F - Long Range					
** HB5 Access MT (\$2 million was included in December 15 bud)		6,000,000		3,000,000	(3,000,000)
** HB5 Long-Range Building Program Energy Cons. Transfer		1,500,000		1,500,000	-
** HB5 ENERGY ADMIN		1,500,000		1,500,000	-
HB5 Ruby Dam		2,000,000			(2,000,000)
HB5 Long-Range Building Program Transfer		1,085,172		3,585,172	2,500,000
HB6 RECLAMATION PROJECTS		1,000,000		1,794,266	794,266
HB7 WATER PROJECTS		3,500,000		4,148,796	648,796
** HB10 Interoperability		2,000,000		1,000,000	(1,000,000)
** HB10 ESSC Moving Expense		3,500,000		3,500,000	-
** HB10 Child Support System		500,000			(500,000)
HB10 SOS Information Management System		5,500,000		1,500,000	(4,000,000)
Replace HB 10 general fund Transfer		6,866,200		3,500,000	(3,366,200)
HB11 TSEP INFRASTRUCTURE		20,500,000		23,000,000	2,500,000

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HB 645 Summary



Type of Authority	Original		House Appropriations		General Fund Difference
	Federal Expenditure	General Fund Expenditure	Federal Expenditure	General Fund Expenditure	
HB11 REGIONAL WATER SYSTEM		8,000,000		8,000,000	-
SCHOOL FACILITIES ACCT		43,000,000		43,000,000	-
SW MONTANA VETS HOME		3,500,000			(3,500,000)
Subtotal General Fund Expenditures	202,467,190	247,264,947	209,173,739	262,333,466	15,068,519
Totals of HB 645 solely	1,073,081,319	(6,235,736)	1,089,836,026	7,819,187	14,054,923

Savings HB 2 and revenue from HB 10 included in original HB 645 not included in current HB 645

** Removal of OTO expenditures from HB 2 and other bills (license plates)	(51,235,261)	(48,374,685)
Removal of HB 10 revenue system that enhanced general fund revenue	(3,500,000)	

Note that the transfer to HB10 is not considered a savings since it was not in the December 15 budget

Totals	1,073,081,319	(60,970,997)	1,089,836,026	(40,555,498)	20,415,499
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* Note that the totals for House Appropriations include a \$4 million appropriation for providers that is contingent on reversions exceeding anticipated level of reversions.

** These items were included in the December 15 Governor's budget.

*** Language Appropriation, page 45, lines 13 and 14.

Exhibit No. **4**2011 Biennium General Fund
Balance SheetDate **3-31-09**Bill No. **HB 645**

	Actual FY 2008	Projected FY 2009	Projected FY 2010	Projected FY 2011
Balance	\$545.863	\$434.069	\$345.129	\$324.831
Adjustments	3.595	2.135	-	-
Adjusted Balance	\$549.458	\$436.204	\$345.129	\$324.831
Revenue				
HJR 2 Revenue - OBPP adjusted 12/15	\$1,953.519	\$1,915.651	\$1,873.585	\$1,941.532
HJR 2 Reductions - February	-	(37.660)	(102.671)	(111.397)
HJR 2 Reductions - March	-	(4.940)	(16.383)	(19.724)
Bills				
HB0082 Department of Administration 911 bill	-	-	(0.481)	(0.514)
HB0154 Remove Sunset on Fire Suppression Account	-	(32.915)	-	-
SB0181 Real Estate Transactions	-	-	-	0.900
SB0438 Regulate Sale of Alcoholic Energy Drinks	-	-	0.036	0.049
HB0645 Revenue Impact of HB 645	-	4.474	6.200	4.073
Revenue Total	\$1,953.519	\$1,844.610	\$1,760.286	\$1,814.920
Available Funds	\$2,502.977	\$2,280.815	\$2,105.415	\$2,139.751
Disbursements				
Ongoing Appropriations				
General Appropriations Act	\$1,508.966	\$1,640.445	\$1,598.469	\$1,633.395
Statutory Appropriations* includes new bondi	168.448	164.326	179.014	177.789
Non-budgeted Transfers	15.458	8.523	8.614	9.320
Other House or Senate Bill	0.148	0.151	-	-
Language Appropriations	0.314	0.700	5.326	6.630
Feed Bill Appropriations	1.262	9.891	2.589	10.809
HB0013 Pay Plan	-	-	3.234	8.349
Anticipated Reversions	-	(50.960)	(5.273)	(6.767)
Prior Year	(0.224)	-	-	-
HB0123 Extend coal trust funded econ dev programs	-	-	-	3.055
Subtotal Ongoing	\$1,694.373	\$1,773.076	\$1,791.974	\$1,842.590
One-time appropriations				
General Appropriations Act	44.739	45.858	31.861	27.830
Statutory Appropriations	95.783	-	-	0.215
Non-budgeted Transfers	152.364	97.973	-	-
Other House or Senate Bill	51.228	11.836	-	-
Carryforward	0.455	1.012	5.100	-
Language	29.966	0.034	-	-
Bills				
HB0003 Supplemental	-	3.511	-	-
HB0005 Long Range Building and 20 x 10	-	-	15.000	7.057
HB0010 Information Technology Infrastructure	-	-	11.366	-
HB0013 Pay Plan	-	2.386	7.140	-
HB0135 Fort Belknap Water Compact	-	-	1.000	-
HB0161 Blackfoot Water Compact	-	-	4.000	-
HB0160 Captive Insurer Laws	-	-	0.008	0.008
HJ0008 Combine E MT A G Extension Office with Research Facility	-	-	0.234	0.047
SB0021 Distribution of Motor Vehicle Revenue	-	0.011	0.015	0.016
SB0024 Consensus Council Statutes (included in HB2)	-	-	-	-
SB0115 Income Tax Calculations for Property Tax Assistance Programs	-	-	0.007	0.007
SB0152 Motor Vehicle Registration and Driver's License Laws	-	-	0.000	(0.000)
SB0197 Court Transcript Costs	-	-	-	0.009
SB0216 School District Interlocal Agreements	-	-	-	0.046
HB0645 Items moved out of other bills to HB 645	-	-	(87.121)	44.346
Subtotal OTO	\$374.535	\$162.621	(\$11.390)	\$79.580
Disbursement Total (OTO and ongoing)	\$2,068.908	\$1,935.697	\$1,780.584	\$1,922.170
Ending Fund Balance	\$434.069	\$345.118	\$324.831	\$217.581
HB 2 - amount counted to the OTO that we do not agree are OTO				
At-Risk	-	-	5.000	5.000
SPE MOE	-	-	1.234	1.234
CSED	-	1.647	2.040	0.619
Medicaid FMAP	-	-	14.650	15.350
Provider Rate Increase - HHS	-	-	1.517	3.245
Total ongoing after adjustments	-	-	1,816.415	1,868.038
Projected Structural Balance - HJR2 Revenue	259.146	71.535	(56.129)	(53.118)
Structural Balance to the LFD	-	-	(31.688)	(27.670)
Annual growth in ongoing expenditures from \$1.8 billion budgeted for FY 2009	-	-	-0.4%	2.8%
Net Impact of HB 645 Revenue/Expenditures	-	4.474	93.321	(40.273)

Summarization of HB 645 Including Coordination with HB 2 and Other Bills

MAJOR CHANGES IN STATUTE

General

- Section 1 - Allows certain rules to be retroactive to February 17.
- Sections 7 and 23 provide for a statutory appropriation of any federal stimulus funds that the federal government requires be invested and the earnings expended.
- Section 24 - Requires the Governor to maintain an official website for reporting and accountability requirements of ARRA.
- Sections 39 through 44 coordinate this bill with other bills that also include funding for purposes contained in this bill, including
 - Various HB 2 provisions (detail table)
 - HB 5 and HB 10 (detail table)
 - HB 13 (pay plan bill), as this bill includes OTO funding also included in that bill
 - HB 135 and HB 161, which fund the Blackfoot and Fort Belknap water compacts
- Section 50 defines "restricted" to allow its use in this bill to restrict appropriations to purposes specified by the legislature.

Budgeting/Appropriations Statutes

- Section 3 - Exempts stimulus funds from the indirect cost recovery requirements.
- Section 5 - Base is redefined to include expenditures of federal stimulus funds if specified in the bill.
- Section 5 - Present law was redefined to include funding with general fund if federal funds temporarily replaced general fund in this bill (primarily Medicaid and university system).
- Section 6 - Budget amendment law is redefined to allow addition of stimulus funds.
- Section 8 - Makes recovery of indirects in MUS subject to ARRA restrictions.

UI

- Sections 9, 10, and 11 - Deal with changes to UI necessary for the bill.
- Sections 10 and 11 - Add part-time workers and people who are training for work but exhausted all UI benefits. These are the permanent statute changes.

Human Services

- Sections 2, 4, 13, 30 through 36, 46 - Hospital utilization fee that goes to the hospitals is reduced, with the remainder to the general fund. Sections 30 through 36 make necessary changes to the termination date of all the previous utilization bills, while section 46 has contingent voidness if the federal government does not approve the necessary state plan amendment..
- Section 12 - Older Montanans Trust trended line is defined (as it is taken out elsewhere) for purposes of determining what the funds can be used for.
- Section 14 - Establishes a Medicaid reserve account in the state special revenue to be used by DPHHS for Medicaid benefits after June 30, 2011.
- Section 15 - Adjusts the health and Medicaid initiative account to eliminate the intention that the funds be used to increase enrollment rates and not support existing enrollment based upon appropriates ending 6/30/2005. Also takes away the intention that increased Medicaid services and provider rates funded with general fund were not to be supplanted except that over the trended line. Because of this elimination, the definition in Section 12 needed to be put in.
- Section 37 - Appropriates \$4 million from HB 2 of the 2007 biennium that would otherwise have reverted for provider rate increases, and other funds that would otherwise revert from the 2007 biennium 72 hour crisis appropriation for the mental health crisis diversion pilot program.
- Section 38 - Reduces the general fund appropriation and increases the federal fund appropriation for Medicaid and Child Support Enforcement in fiscal 2009 to account for enhanced federal funds in ARRA.

Environmental and Energy

- Sections 16 and 17 – Section 16 puts the ARRA into the definitions in the water pollution control revolving account, and Section 17 allows the money received from ARRA to be used for loan forgiveness or other uses allowed by law.
- Sections 18 and 19 – Section 18 changes the definition under safe drinking water to include ARRA, and Section 19 allows the uses of the ARRA under that statute, including loan forgiveness.
- Sections 20 and 21 – Make adjustments to the alternative energy revolving loan account to extend the loan period and allow uses under the ARRA, including changing the loan limit and payback length.
- Section 29 – Establishes the Quick Start energy grants.

Infrastructure

- Section 22 Exempts projects funded with the stimulus under the Big Sky Economic Development Program from that program's requirement for distribution based upon the number of jobs created from the funding, as well as funding limits and other requirements.
- Section 25 – Establishes the Distressed Wood Products Industry Recovery Program.
- Section 26 – Allows the Department of Commerce to establish rules to implement worker training and broadband matching grant programs.
- Section 27 – Specifies how the \$10 million in grants to counties must be allocated.
- Section 28 – Specifies how the \$10 million in grants to municipalities must be allocated.

Public Works For Public Good

Historic Preservation Projects in Montana

Exhibit No. 6Date 3-31-09Bill No. HB 645

Project Name	Cost	Ready Spring 2009
Public Buildings and Structures		
Bear Creek Bank, Bear Creek	\$110,000	The stone building is the City Hall. It requires interior repairs including ceiling, flooring, walls and electric.
Beaver Creek County Park Chapel, Havre	\$40,000	The chapel requires \$40,000 in roof repair, porch restoration and foundation work immediately to save the building.
Big Arm School, Big Arm	\$300,000	Restoration projects are underway to bring the school back into public use as a museum and community center. An estimated \$300,000 is required to stabilize, reroof, and restore the facade of the building.
Daly Mansion, Hamilton	\$500,000	This ongoing phased project requires \$500,000 to complete approved plans for final interior restoration.
Deer Lodge County Courthouse, Anaconda	\$700,000	The ongoing and critical restoration of the courthouse is on track for bid immediately. \$700,000 is required for exterior stonework repair and to prevent further structural damage to the building.
Reeder's Alley, Helena	\$175,000	Roof repair and replacement as well as drainage improvement throughout the property including seven structures. Plans are underway and could be implemented quickly with \$175,000 in funding.
Fort Missoula, Post & Detention Headquarters Building	\$450,000	\$450,000 needed for ADA access and repairs to Post Building, and site development for this nationally significant World War II Alien Detention Camp building. Plan drawings can be prepared in 60 days.
Lewis and Clark County Fairgrounds West Barn, Helena	\$200,000	The barn will serve the agricultural community through this \$200,000 refurbishing project. The building requires stabilization, restored siding, post replacement and interior finishing.

Public Works For Public Good

Historic Preservation Projects in Montana

Project Name	Cost	Ready Spring 2009
Fort Peck Assiniboine and Sioux Culture Center and Museum, Poplar	\$500,000	A structural assessment determined this building sound and ready for rehabilitation. Specific projects with completed plans include window and door repair and upgrades, landscaping, utilities and plumbing. Baseline estimates for the project total at least \$500,000 .
Giant Springs State Park, Great Falls	\$125,000	The CCC built landscape requires \$125,000 to repair the stone retaining wall that lines Roe River, stone steps put in place by the DAR, and maintenance/replacement of the historic trees on site.
Gilbert Brewery, Virginia City	\$350,000	Restoration of this brewery, is the oldest west of the Mississippi, is well underway. \$350,000 is still required to stabilize the deteriorating stone malting tower.
Hardin Depot, Hardin	\$65,000	Community began restoration efforts in 1998. Final building improvements, including window, door and roof repair and interior restoration, can begin as soon as \$65,000 is available.
Hickman House, Virginia City	\$75,000	\$75,000 project will restore the house to livable condition. Architectural drawings complete and ready for bid. Montana Heritage Commission could hire contractor in May for work in Summer 2009.
Madison County Fairgrounds Grandstands, Twin Bridges	\$350,000	The fairgrounds' grandstands were recently condemned and cannot be used until \$350,000 in repairs are made. Plans and bids are ready as soon as funding becomes available. The project must be completed prior to the 2009 fair and rodeo season in August.
Madison County Fairgrounds Multi-use Buildings, Twin Bridges	\$800,000	Preliminary Architectural and Engineering report is complete on two historic multi-use buildings. \$800,000 in construction funds needed to keep the buildings open to the public. Ready for bid within 120 days.

Public Works For Public Good Historic Preservation Projects in Montana

Project Name	Cost	Ready Spring 2009
Missoula County Courthouse, Missoula	\$215,000	Much of the courthouse interior previously restored. \$215,000 required for final interior restoration and projected site development.
MonDak Heritage Center, Sidney	\$100,000	Homesteading Cabin in need of \$100,000 for foundation stabilization and sill log replacement. Carpentry-ready Spring 2009.
Original Mine Hoist House, Butte	\$40,000	\$40,000 roof repair project is ready to go to bid. Plans are approved by MTSHPD and the bid documents have been prepared.
Reed & Bowles Trading Post and Reed's Fort Post Office, Lewistown	\$20,000	\$20,000 project can proceed when funds are available. Funds will be used to stabilize the two structures important to the history of the Nez Perce Trail.
Rialto Theater, Deer Lodge	\$2,663,183	Interior plans complete, construction and finishing underway. Fundraising continues but \$2,663,183 is needed to finish the seating, balcony, front lobby and concession area and stage work. Project will generate over 11,000 man hours of work.
St. Joseph's Hospital Nurses Building, Lewistown	\$400,000	\$400,000 would fill the funding gap in this project that combines the reuse of a historic building, construction of two adjacent buildings, Historic Rehabilitation Tax Credits and HUD funding. Total project cost it is estimated at \$1,172,769.
St. Mary's Mission, Stevensville	\$100,000	\$100,000 needed for stabilization, repair rotting logs, electric upgrades, roofing, and utility maintenance of multiple buildings at site.
Stedman Foundry Pattern House, Helena	\$600,000	Stabilization of the historic pattern house, damaged by fire in 2007, is required immediately at a cost of \$600,000 .
Virginia City Schoolhouse, Virginia City	\$932,000	The building requires stabilization and conversion to meeting and storage space at a baseline cost of \$932,000 . Exterior and interior walls must be stabilized and interior spaces rehabilitated to make it fit for occupation.

Public Works For Public Good

Historic Preservation Projects in Montana

Project Name	Cost	Ready Spring 2009
Non-Profit Owned Buildings and Structures		
Adams Stone Barn, Sun River	\$40,000	The Dracut Junction Stone Barn Co. needs \$40,000 to rehabilitate the wood windows to make the building resist the weather.
Babcock Theater, Billings	\$650,000	The building requires a total of \$650,000 for interior and exterior repairs and safety upgrades.
Belt Theater, Belt	\$400,000	This ongoing restoration project requires \$400,000 to complete roof replacement and interior repair and finishing to reopen the landmark to the community.
Carbon County Historical Museum	\$1,750,000	Plans are in place and ready to bid the \$1,750,000 project to make the museum ADA and renovate the third floor for community events.
Copper Village Museum and Arts Center, Anaconda	\$779,220	Located in the former Anaconda City Hall, the center plans for repair and restoration of the clocktower, utilities upgrades in the galleries, repair and stabilization in the basement museum, and improved storage capacity in the workshop. The projects have a total cost of \$779,220 .
Fort Assiniboine, Havre	\$267,000	The next phase of restoration of the stables is ready to proceed for \$12,000. In addition, the historic jail is in need of \$250,000 for baseline stabilization.
Masonic Temple, Havre	\$250,000	The Masons have met with architects and plan to increase residential, commercial, and public use of the building. \$250,000 in repairs and code compliance upgrades would increase the building's functional potential.
Moss Mansion, Billings	\$371,500	Interior and exterior repairs and upgrades include utilities, roof repair, carpentry, and masonry. Completed plans project a cost of \$371,500 .

Public Works For Public Good

Historic Preservation Projects in Montana

Project Name	Cost	Ready Spring 2009
Ravalli County Museum, Hamilton	\$122,000	\$122,000 is required immediately to repair the cupola tower and roof, stabilize the exterior masonry walls and stairs, and upgrade utilities and safety systems on this former Ravalli County Courthouse.
Rundle Building, Glasgow	\$950,000	Two Rivers Economic Development plans to rehabilitate this building for residential and commercial use and requires \$950,000 for exterior and interior repairs and rehabilitation.
Pioneer Store, Cuf Bank	\$65,000	Work plan in place for this historic store building being restored by local museum. It needs stabilization, exterior & interior finishing and insulation.
Historic Richland County Hospital	\$250,000	Structure available for redevelopment, \$250,000 required for hazmat treatment to make building habitable. Haz-mat analysis complete; project is shovel ready.
Superior School, Superior	\$120,000	Plans are underway to re-roof this expansive school at an approximate cost of \$120,000. The building currently functions as a community center and local business incubator.
Union League of America Hall, White Sulphur Springs	\$150,000	Meagher County Historical Society eager to find new use and funds for preserving one of the oldest fraternal halls standing in Montana. Projects include restoring the front entrance, window restoration, and general repair. The project estimates total \$150,000

Public Works For Public Good

Historic Preservation Projects in Montana

Project Name	Cost	Ready Spring 2009
YWCA, Helena	\$1,001,000	Construction plans are in place for major \$1,001,000 renovation to address deferred maintenance needs. This project is projected to employ at least 147 persons, ranging from architects and engineers to plumbers, electricians, masons, carpenters, painters, and suppliers.
Privately Owned Buildings and Structures		
3 Circle Ranch Barn, Birney	\$168,000	The owner of the 3 Circle Ranch in Rosebud Co. has plans in hand for a \$168,000 rehabilitation of this sandstone barn. The barn is part of an active cattle operation and is one of the most outstanding heritage barns in Montana.
Hennessey Building Annex, Butte	\$3,050,000	\$3,050,000 would fill the funding gap for the rehab of this five-story building. This \$7.8M project combines Historic Rehabilitation Tax Credits, New Market Housing Tax Credits, Local URA loans, and private investment.
Hobson Grain Elevators, Hobson	\$200,000	Owner is working closely with community officials to stabilize the elevators and keep them as a community landmark. A total of \$200,000 is needed.
Johnson Dairy Barn, Jefferson City	\$35,000	This familiar barn along I-15 south of Helena is in great need of a new roof. Work is ready to commence as soon as \$35,000 in funding is identified.
TOTAL	\$20,318,903	

Exhibit No. 7Date 3-31-09Bill No. HB 645**BRAIN INJURY ASSOCIATION OF MONTANA**

PREVENTION · EDUCATION · ADVOCACY

1280 SOUTH 3RD STREET WEST · SUITE 4 · MISSOULA, MONTANA 59801

(406) 541-6442 · (406) 541-6443 · (800) 241-6442 · Fax (406) 541-4360

www.biamt.org · biamt@biamt.org

March 31, 2009

The Brain Injury Association of Montana respectfully requests that the Senate Finance Committee appropriate \$100,000 per year for the Resource Facilitation Service in HB 645.

The RFS is a three year old service that provided information, referrals and self-advocacy assistance to over 500 individuals and families living with brain injury last year. RFS helps families affected with brain injury to stay together, keeps children in school, and helps survivors maintain or return to employment.

RFS received one-time state funding of \$100,000 in FY 2008. Continued funding was included in the Department's EPP but not in the Governor's budget recommendation.

RFS funding supports 1.5 FTE and the community office infrastructure in Missoula. The BIAMT augments these resources through fundraising, other grants, hiring practicum students and interns, and coordinating volunteers.

We work with brain injury support groups around the state to spread the message of brain injury prevention and brain injury recovery. The interns and practicum students we train take their new expertise about brain injury into the community and share it with their coworkers in other settings.

We educate hospitals on the unique challenges that TBI survivors encounter after discharge and encourage hospitals to enroll survivors in RFS before they are sent home.

We are working with the Rural Institute to educate first responders about RFS, expand our data-collecting capacity and insure that more Montanans know about the services and supports that make recovery possible.

Thank you for your support for this lifeline for brain injury survivors and families.

THE BRAIN INJURY ASSOCIATION OF MONTANA BOARD OF DIRECTORS

Brenda Toner, Community Bridges, Missoula (co-Chair)

Anita Roessmann, Disability Rights Montana (co-Chair)

Tim Laskowski, Community Medical Center, Missoula

Kathy Hansen, Kalispell Regional Medical Center

Carla Hilferty, family member, Florence

Darcy Merchant, Billings Area Indian Health Services

Bobbi Perkins, EMT, Helena

Kathy Smith, RN Easter Seals, Great Falls

Sanya Ness, Administrator, Liberty Place, Whitehall

Mark Sanders, student, MSU College of Technology, Great Falls

Randy Wood, University of Montana School of Social Work

A BRAIN INJURY ASSOCIATION AFFILIATE

886

Robert Snizek, MS CRC
Headway Outpatient Brain Injury Program
2900 12th Ave N. Suite 10w
Billings, MT 59101
(406) 238-6440
Fax: (406) 238-6464
robert.snizek@svh-mt.org

March 30, 2009
Senate Finance Committee

Dear Chairman Bales and Committee Members,

My name is Robert Snizek; I work as the medical case manager of the Headway program at St. Vincent Healthcare in Billings, Montana. We are the only coordinated outpatient brain injury recovery program in the eastern part of the state, and every year we work with dozens of patients who have recently been injured.

St. Vincent Healthcare in Billings has given more referrals to the Resource Facilitation Service than any other healthcare provider in Montana because we know it works. In Billings the Resource Facilitation Service has in large measure closed the "crack" that many brain-injured Montanans fell into before the RFS existed. Sadly what used to happen to many patients after a concussion or a "mild brain injury" was they were sent home with a stack of papers and asked to call back if there were problems. For many folks things did get worse and those without family support (or medical training) would end up eventually losing their jobs, getting divorced and knocking on our program's door two years after the injury asking for help -- finally. I am not exaggerating, this type of story was common prior to this program being implemented in Billings and although we can help *a little bit two years after the fact* -- the chance to have a bigger impact is missed. RFS provides a life-line so the injured can get the help they need to become productive again.

With the Resource Facilitation Service, the injured can get support and information from a neutral source. It has been my experience that this service saves money when the person with a brain injury can identify the problem early in the process when the brain is still healing. Early intervention increases the chance we can help that patient heal, and get back to work -- not to mention the marriages that can be saved when problems are identified for what they are. Last year 12 Headway patients with brain injuries (who were not working when we started outpatient treatment) were able to return to their old jobs after an average of two months of therapy. Their wages equal about \$300,000, so for me RFS is not just a "feel good program," it is an investment in the medical community, the workers of Montana and their employers.

I wish I could be in Helena to testify directly, but wanted to share why I see value in this program as a professional, and pray it is seen as the investment it is. You may call me at work if there are any questions, (406) 238-6440.

Sincerely,
Robert Snizek, MC CRC

***How the crisis services demonstration project,
which funds hb 130, 131 and 132,
is economic stimulus***

Exhibit No. 8
Date 3-31-07
HB 132

Stimulus goal: ***employment***

- This money will go to pay for services in communities across Montana.
- Because the infrastructure is already there, all the money will go for services jobs immediately.
- This does not fund "government services"—it funds medical care provided by community hospitals and other mental health care providers.

Stimulus goal: provide ***relief to local governments***

- This funding immediately saves the counties money:
 - ▶ law enforcement officers will transport fewer patients to Warm Springs,
 - ▶ county attorneys will prosecute fewer commitments, and
 - ▶ counties will pay less pre-commitment costs.
- This money will be spent according to plans developed by communities. This is a bottom up solution to local problems, not a one-size-fits all program coming out of Helena.

Stimulus goal: ***Healthcare reform***

- Using local beds to provide emergency services and short term treatment prevents inappropriate use of our most expensive resource, the State Hospital, which costs \$516 per day.
- Funding local beds eliminates or reduces the trauma of transportation in handcuffs and shackles.
- Local mental health care is the most effective mental health care because it involves your own community treatment team, including your family.
- A smooth and successful transition from hospital to home is much easier to achieve in the community.

Stimulus goal: Invest today for ***future savings***

- Whether the demonstration grant will lead to any savings from State Hospital reductions is an issue for the executive and legislative branches to debate at some future time, but one thing is certain: Unless the Legislature funds community in-patient mental health treatment for the uninsured, they will continue to go to the only funded inpatient service available to them, the State Hospital, and controlling the census at the State Hospital will continue to be a problem.

Stimulus goal: ***Mitigate the effects of the recession on the most vulnerable people***

- Hard times cause stress and exacerbate symptoms of mental illness, increasing pressure on services.
- Community-based services minimize disruption to people's lives.
- When hospital stays are longer than necessary, people lose a lot: their federal benefits, their belongings and apartments, their pets, their jobs, their self-esteem. ***Access to a full continuum of care in the community prevents a lot of collateral damage.***

Who supports HB 130, 131 and 132, and the crisis services demonstration project?

Central Service Area Authority

Disability Rights Montana

Montana Children's Initiative

Montana Coalition Against Domestic and Sexual Violence

Three out of four regional mental health centers

Montana County Attorneys Association

Montana Licensed Professional Counselors

Montana Mental Health Association

Montana Sheriff's and Peace Officers Association

National Association of Social Workers, MT Chapter

Rocky Mountain Development Council

by Anita Roessmann,

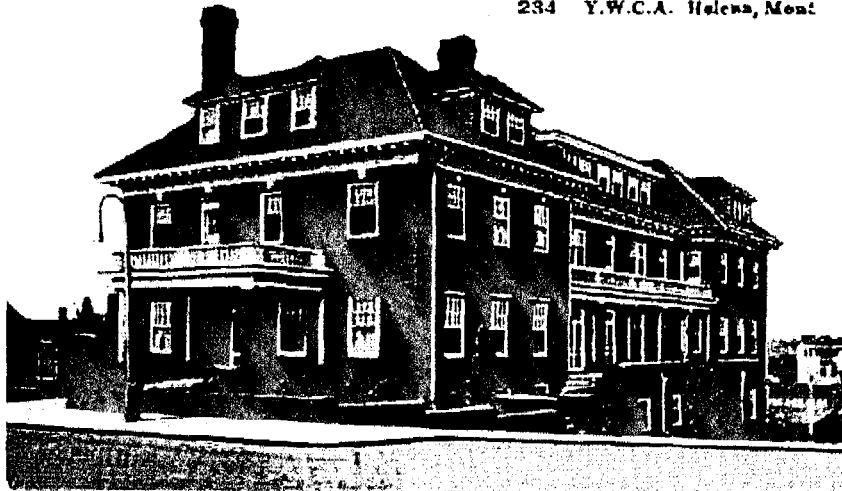
Disability Rights Montana

March 31, 2009

Exhibit No. 2Date 3-11-12File No. 100-100000

HELENA YWCA
Major Facility Improvement Project 2009
Economic Recovery and Investment Act of 2009

234 Y.W.C.A. Helena, Mont



Since 1919, the Helena YWCA has provided safe and affordable transitional housing for women and children as they move from homelessness to independent, self-sustaining living.

Listed on the National Register of Historic Places, the YWCA is a three-story, masonry building located at 501 Park Avenue in Helena. The Helena YWCA renovation project provides a unique opportunity to upgrade and expand much-needed transitional housing in a beautiful historic building and fits well within the profile of many funding programs now under consideration under the Economic Recovery and Investment Act of 2009.

Years of deferred maintenance have degraded the YWCA's ability to serve the housing needs of women and children. At present, approximately 20 residential rooms are leased; stabilization and improvements will open at least 35 residential rooms for occupancy. The following list of extensive improvements needed to upgrade and enhance the YWCA building will allow the YWCA's housing capacity to include persons with disabilities and ensure continuation of the transitional housing mission well into the future:

- energy conservation and weatherization
- roof replacement
- stabilization of fire escapes
- repair of exterior decking and balustrades of upper level balconies
- replacement of rain gutters & downspouts
- brick re-pointing and stabilization of exterior veneer
- upgraded accessibility to comply with Americans with Disabilities Act
- modernization of radiators and bathroom facilities
- upgrading catering kitchen for public functions
- construction of a commercial-grade kitchen to serve the needs of the 35 residents

The estimated rehabilitation cost is \$1,000,912. The work may be accomplished over a 12-month period, and will employ approximately 150 persons, including architects, engineers, electricians, roofers, masons, plumbers, heating and ventilation contractors, painters, material suppliers and other trades people. Preliminary discussions with potential contractors indicate availability to commence work immediately upon approval of project funding.

The Board of Directors of the Helena YWCA wishes to thank you in advance for your consideration. We welcome the opportunity to discuss the significance of our project further and wish you good speed as you move forward in your deliberations.

2009-10-10
for BIC
8-11-2012

890



Inside Hunger in Montana

Factoids:

Average Income vs. Expenses for Montana Families in Poverty

Poverty Level Income for Family of 4 = \$1,838/mo.

- Less Average Montana Rent for a Family of 4 = \$694/mo.
- Less Average Montana Childcare for 2 children = \$800/mo.
- Less Average Food Costs for a Family of 4 = \$700
- Plus Average SNAP Benefits for a Family of 4 = \$469
- Monthly Income Remaining for utilities, transportation, healthcare and other expenses = \$113/mo

14.4% of people are at 100% of poverty or below—around 130,000 people

Child poverty level: 17%

Food Insecurity: 9.9%, Hunger 4.3%

Poverty levels for female headed families with children <18 – 41.6%

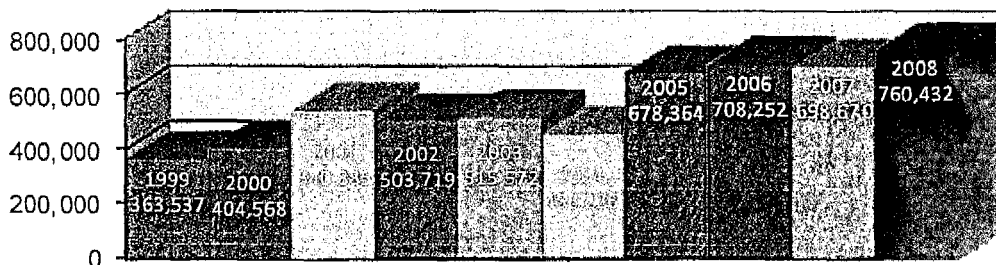
MT is ranked 11th in the nation for the most people working 2 or more jobs

80% of Montana jobs do not pay a "living wage" (\$17/hour family of 3)

*Many of the statistics listed in this report were taken from the Montana Food Bank Network Food Security Council's 2006 & 2008 hunger survey report: Hungry in Montana.

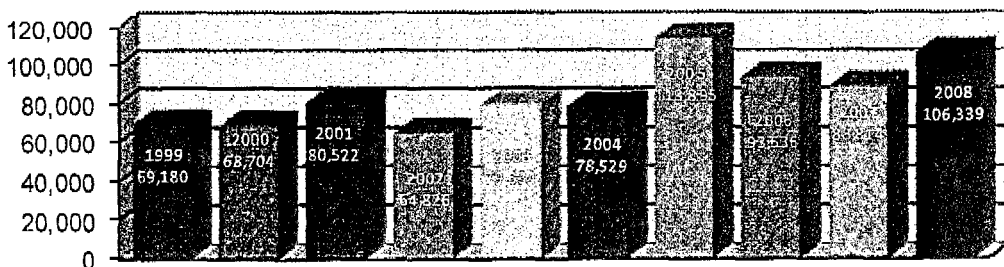
HUNGER AND FOOD INSECURITY: A CONTINUING PROBLEM IN MONTANA

10-Year Comparison of Total Client Visits 1999-2008



Unfortunately, there doesn't appear to be an end in sight for the demand for emergency food in Montana. With the rising cost of housing, fuel and food, household incomes are eroding even further. Job losses have added to the increased need for emergency food. The following two charts display this growth. The above Chart compares the total number of client visits to emergency food programs served by the Montana Food Bank Network over a 10-year period from 1999 through 2008. This number includes the repeat client visits each year. By measuring the total number of visits a client makes to an emergency feeding program, we can better determine the amount of food needed in the emergency food system. Overall, the growth in the emergency food system

10-Year Comparison of Clients Visiting for the First Time Each Year



Montana Food Bank Network

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Missoula, Montana 59808

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Fax: 406-542-3770
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Visit Us on the Web at:
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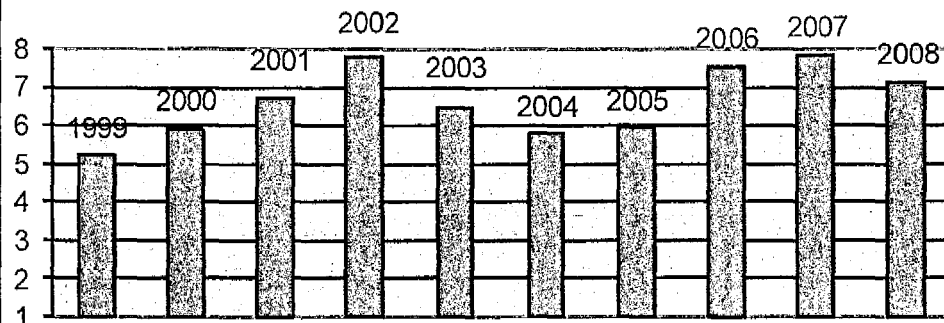
Fighting Hunger, Feeding Hope!

2008 Study of 342 clients – 935 individuals at 7 food pantries in Montana showed:

- More middle class, newly poor clients are in need of emergency food.
- 80% had come for food more than once in the year.
- 48% had gone without food or skipped meals.
- 13% of children skipped meals
- 60% had come to the food bank for multiple years.
- 47% of the clients also receiving SNAP
- 42% of HH had one or more children <18
- Poverty levels: 65% in rural sites to 74% on reservations.
- 21% of HHs living below 50% of the poverty level.
- 46% of HH employed - at least 1 adult working.
- 13% of primary wage earners – more than one job.
- Education or employment did not lift families out of poverty.
- Choosing between food or necessities.
- 63% - between food and fuel.
- 54% - between food and utilities.
- 50% - between food and mortgage or rent.
- 44% - between food and medical care or Rx.

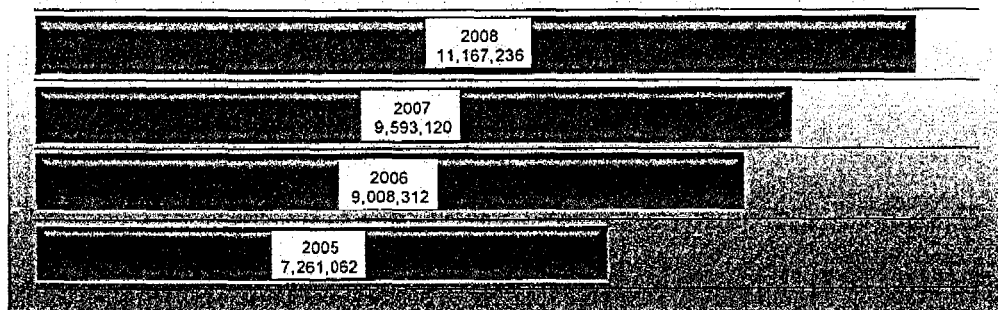
As food prices continue to rise, more people are accessing federal food programs such as: food stamps, WIC and CSFP (senior commodities). However, those continuing to access the emergency food system have become more dependent on that system for food. Many people are under the mistaken impression that the most critical time for food assistance is during the holiday season. Although the holidays are a busy time for the emergency food system, summertime is also a critical need time for local agencies distributing food in their community. Children are out of school, not accessing the school breakfast and lunch programs. As fuel, housing and food prices increase, more families depend upon their local emergency food provider for support. The Montana Food Bank Network conducts a hunger survey through its agencies every two years. The information on the left panel provides some results of the 2006 Hunger Survey.

Average Number of Repeat Visits Per Client 1999-2008



The Chart above shows the trend in repeat visits over a 10-year period. In 2007 clients returned for food support an average of 8 times. Clients requiring continued emergency food assistance spiked in 2006 and remains constant as fuel costs, food and housing costs are on the rise. This increase in repeat visits is an indication of the chronic need developing in the emergency food system. With mortgage requirements tightening, there is greater demand for rental property causing increases in housing costs. Fuel and food prices are also on the rise leaving many households in a dire financial condition. Adding to the situation are the job losses that spiked in 2008.

Pounds of Food Distributed Through Montana's Emergency Food System 2005-2008



The above graph shows the increase in the amount of food distributed through the emergency food system over a 4-year period. There was a 65% increase in food distributed between 2005 and 2008.

How can we change this picture to reflect a food system that allows all Montanans to access their food in a socially acceptable manner without having to use emergency food? The best way to help is by getting involved in and supporting the change. We must have the ability to feed those in need, while working to change policy and practices that keep people food insecure and hungry. For more information on how you can get involved in solving this problem, contact the Montana Food Bank Network at 1-800-809-4752 or log on to www.mfbn.org



Strategies to Reduce Hunger and Improve Nutrition for Montana Families

WHAT CONGRESS CAN DO

- * Strengthen the national nutrition safety net
- * Provide improved funding and streamline administrative rules of all Child Nutrition programs.
- * Ensure that benefits and eligibility rules for SNAP and commodities programs are commensurate with current economic situations.
- * Reduce administrative burdens within these programs.

WHAT THE STATE CAN DO

- * Provide one-time start-up funding to increase number of School Breakfast Programs.
- * Promote expansion of Universal Breakfast-in-the-classroom in schools with 40% of more poor children.
- * Promote start-up of new Summer Food Service Programs in un-served communities.
- * Create a State Earned Income Tax Credit.

WHAT LOCAL COMMUNITIES CAN DO

- * Support start-up and expansion of community gardens for low-income populations.
- * Support efforts to increase participation in school food programs, SNAP and the WIC program.
- * Strengthen charitable food distribution through local and faith-based agencies.

"Low income workers and families are especially vulnerable to the challenge of a weak economy. The consequences of this include hunger, malnutrition and higher risk of illness."

Jayanti Batacharya, *Heat or Eat*, American Journal of Public Health

"You have your future all planned out, think it's going to go a certain way, and then it doesn't."

"This summer I've had to choose between a gallon of gas or a gallon of milk."



"Last month I had to go without my daily medications for a week and a half due to lack of money."

"People who don't have money don't have the choice to eat healthier."

"The kids think we are camping, but we've been homeless in our camper for a month."

- Hunger is significantly affected by the complex issues and acute real-life situations that food pantry clients face. These situations have a compounding effect on poverty and complicate the reasons for hunger.
- Economic stress on a national level has created new challenges for both Montanans living in poverty and for some newly affected by poor economic conditions.
- Critical needs like rent, heating bills, medical bills, and fuel costs negatively impact food budgets.
- In order to cope with the problem of accessing adequate food, adults skipped meals, came more frequently to the food pantries and purchased more affordable but less nutritious foods.
- Family income is the most significant factor that impacts basic needs of families.
- 2008 had the sharpest increases in food prices in the past forty years. For those who were already struggling, the problem was significantly exacerbated.
- To add to this, there have been job losses for many low-income people who were already at the bottom of the economic ladder.
- Put together, food bank clients face numerous difficult choices of where to put their limited money. Rent, heating and medical bills, child care and transportation costs took priority over money for food.
- The challenges that low-income people face are constant and unrelenting.
- Finding solutions to achieve sustainable food security requires improving economic stability and a dependable infrastructure that ensures basic family self sufficiency.

Please contact us for more information:	Kate Bradford, MA 406-721-3825 kbradford@mbfn.org	Minkie Medora, MS, RD 406-241-3581 minkie.medora@gmail.com
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HUNGRY IN MONTANA

Factors Contributing to Emergency Food Needs And the Impact of Hunger



- The demand for emergency food has been increasing at food pantries and feeding sites that are served by the Montana Food Bank Network. The 2008 year has seen the most significant increase in client food needs, largely due to soaring costs of food and fuel. Food banks and pantries are seeing more middle class clients that are newly poor and in need of emergency food.
- Overall the 2008 "Hungry in Montana" study showed that a combined effort to improve family economic security, increase participation in public food programs and increase access to healthy foods are the most effective ways to assure food security for hungry Montanans.

HUNGER - IMPACT ON HEALTH

- Increased infant mortality
- Iron-deficiency anemia in infants
- Poor academic achievement in schools
- Missed school days due to illness
- High risk pregnancies - poor outcomes
- Cheaper food choices - leading to obesity
- Malnutrition and chronic disease in elderly

ECONOMIC COST OF HUNGER IN THE US *

The economic cost of hunger impacts states, communities and the nation. It is often overlooked by those who are not hungry.

- Medical, mental and psychosocial problems: \$66 billion
- Lower education level, lower productivity: \$9.2 billion
- These costs do not include the cost of charitable giving

The economic cost of hunger is greater than the costs due to alcohol abuse, smoking, obesity and drug abuse.

* The Economic Cost of Domestic Hunger, Dr. Larry Brown, Harvard School of Public Health, 2007.



The Food Security Council
Montana Food Bank Network
March 2009





Food Insecurity is the inability to access food in a consistent manner, independent of emergency food assistance.

Food insecurity exists when the availability of nutritionally adequate food or the ability to access it on a consistent basis is uncertain or limited. Adults commonly skip meals.

Hunger is the condition where both adults and children cannot access food consistently and have to reduce food intake, eat poor diets and often go without any food. Hunger is also defined as the uneasy or painful sensation caused by lack of food.



How Prevalent is Hunger in Montana?

The inability to access adequate and healthy food has become a part of the daily lives of people of all ages who have limited incomes. The Montana Food Bank Network (MFBN) has seen a record number of clients in need of emergency in the past year. Food pantries across the state are seeing an average of a 30% increase and are struggling to be able to provide adequate food to clients.

Who Are the Hungry?

People with limited incomes who face a sudden change in the family's economic situation.

- Job loss, no savings to fall back on.
- Serious illness of a child or adult, death in the family.
- Inability to pay rent, resulting in eviction.

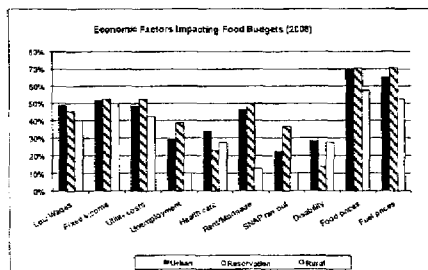
At a Glance – Causes of Hunger?

Hunger is an Income Issue. Client incomes continue to have a direct bearing on their ability to purchase food.

1. PERSONAL OR FAMILY ECONOMICS

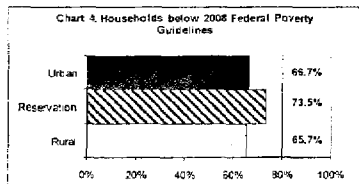
Low wages among working people is a major factor in lack of access to food.

- Seniors and those who are disabled and living on fixed incomes could not meet all expenses.
- Rise in food and fuel prices created further challenges.
- Essential needs like rent, fuel, child care, heating and medical bills are paid first, leaving little money to purchase food.



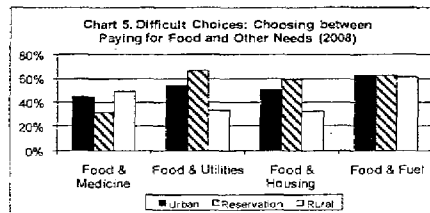
2. POVERTY

Poverty levels of food bank clients in this study ranged from 74% on the reservations to 66 and 67% in urban and rural areas respectively.



3. MAKING HARD CHOICES

Between 44 to 63% of clients indicated they had to make difficult choices between paying for food or paying for fuel, housing, utilities, or medications.



4. PUBLIC FOOD ASSISTANCE

- Federal Poverty Levels are used to determine eligibility for public food assistance programs, but poverty measures are outdated and do not reflect the true economic status of the poor.
- Many of the poor who need public food assistance are not eligible to apply.
- Many of the Montanans who are eligible for public food programs are not participating in them – for various reasons.

Trying to Survive, Coping with Hunger

1. SKIPPING MEALS

- Adults skipped meals so the rest of the family could eat, especially children.
- With extreme hunger, children also skipped meals.

2. EATING FOOD WITH LESS NUTRITION

- Hungry people chose foods that cost less, have less nutrition, more calories.
- Stress of daily life, holding down a job, taking care of children lead to greater use of fast food.
- There is little money and no access to buy locally grown fruits and vegetables.
- Older people could not follow special diet needs and created greater health problems.

"The most difficult challenge is trying to provide for our children with such low income while still trying to teach them that this is not what life is all about... It is hard to see the disappointment in my kids."

Food Pantry Client

3. INCREASING REQUESTS FOR EMERGENCY FOOD

- People came between 10-12 times a year to urban and rural food banks, and between 1-3 times a year on reservation sites.
- In urban, rural and reservation area, approximately 70% of people had come for food over several years.

Real People, Real Lives – the Challenge of Being Poor and Hungry

Food bank clients experienced diverse and complicated issues that lead to struggles in daily life and the difficulty of trying to feed their families. They expressed the frustration of not being able to provide healthy foods or meet the family's nutritional needs, while dealing with numerous other problems in their lives. Some of the challenges faced were:

• BIGGER MONTHLY BILLS, UNEXPECTED BILLS:

Higher rent and heating bills, sick child, prescription costs, car repairs, home heater breaking down.

• HEALTH PROBLEMS:

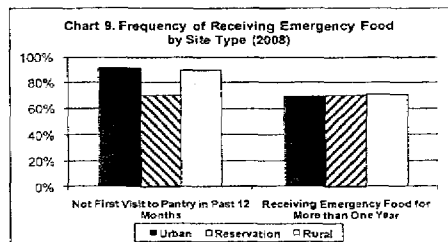
Sudden illness of child and no child care, chronic problems in the family - like diabetes and heart disease that need special medication and diet, extra medical bills.

• DISRUPTION IN FAMILY LIFE:

Divorce or death in the family, single women taking care of children alone.

• TRYING TO FIND A JOB THAT PAID LIVING WAGES:

Being laid off, having reduced hours of work, seasonal work that did not last, looking daily for a better job. Despite these barriers, the people at food banks dealt with their problems with tenacity and the hope that their situation would turn around.



"We only have Medicare, and it doesn't pay enough. If our medical bills weren't so high, our income would be enough to buy our own food. Instead, we constantly send the bulk of our income to the collection agency and rely on the food pantry two or three times a week for food."

Food Pantry Client



SENATE FINANCE & CLAIMS
EXHIBIT No. 12
3-3-07
54999A
ON 11/11

What You Should Know About Montana's Aging Services Network

It began in 1965 with the creation of the Older Americans' Act. In 1987, the Montana State Legislature created the Montana Older Americans Act to reaffirm the state's commitment to those 60 and older.

The network consists of:

- the Governor's Coordinator on Aging
- an 11-member Advisory Council to the Governor
- Office on Aging within the Department of Public Health & Human Services, SLTCD
- 10 Area Agencies on Aging
- over 1,000 projects and providers of services (which include 170 congregate meal sites, 157 senior centers, etc.)

The Networks' Objectives for Older Montanans:

- adequate nutrition
- adequate retirement income
- maximum physical and mental health
- suitable housing
- comprehensive community-based, long-term care
- appropriate employment opportunities
- civic, cultural, educational and recreational opportunities
- freedom to plan and manage their own lives.

It is the policy of the Montana Department of Public Health & Human Services and the ten (10) Area Agencies on Aging to provide benefits, services and employment to all persons without regard to race, color, national origin, handicap or age in compliance with Title V of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975.

Providing maximum dignity and independence for older Montanans

A 1000 reprint of this public document with published at an estimated cost of \$5.25 per copy, for a total cost of \$1,200.00. (which includes \$1,000.00 for printing and \$200 for distribution)

406-444-4077
Toll-Free 1-800-332-2272

Department of Public Health & Human Services
Senior & Long-Term Care Division—Office On Aging
PO Box 4210
Helena MT 59604-4210
- 12 -

Montana Aging Services Network

Aging Montana Today

One of the most significant demographic facts affecting our present and future course is the aging of our population. The number of people 65 years and older has increased and will continue to grow more rapidly than other age groups.

A quick overview of this surge in the older population:

- One in six Montanans—158,000 people—are over 60 years of age. By the year 2050 one in four Montanans will be over 60.
- Over 23 people each day join the ranks of the elderly in Montana.
- The older population grew twice as fast as the rest of the population in the last two decades.
- The 100-plus population is the fastest growing portion of our society. It's expected to increase seven times by the middle of the next century.

Partners in Shaping Our Future

The "baby boomers" of the 50s will be the senior boom of the 21st century. How we plan for our state's burgeoning older population is critical to each of us. We'll be there soon enough ourselves.

Montana's Aging Services Network

It is the policy of the State of Montana, through the Aging Services Network, to provide a wide range of coordinated services to enable older Montanans to:

- maintain an independent lifestyle,
- avoid unnecessary institutional care, and
- live in dignity.

Our Invitation to You

We invite you to work with us. We all must become more aware of the valuable resource older Montanans are within families and as pioneers of our state. We ask you to help develop a complete range of services for the aging in all areas of Montana.

Information and Assistance

Trained and certified technicians around the state:

- provide information about services
- refer people to appropriate service programs and agencies
- maintain a current directory of service providers
- provide needed outreach work within their communities

All technicians are employees, volunteers or contracted services through the Area Agencies on Aging and local service providers.

Contact your local Area Agency Office or use the toll free number: 1-800-551-3191 to reach the agency nearest you or call Citizens Advocate Office and ask for the Office on Aging.

Citizens' Advocate Office

Part of the Governor's Office and was created to help constituents understand and work with Montana government. This office can refer you to the Office on Aging and related services.

Contact: Citizens' Advocate
1-800-332-2272

State Health Insurance Assistance Program (SHIP)

SHIP counselors provide information and assistance to Medicare Beneficiaries:

- free one-on-one counseling regarding Medicare and Supplemental Health Insurance
- referrals to other Federal, State and local services
- outreach information to seniors and their families through seminars, health fairs, community events and the media

Adult Protective Services

Adult Protective Services (APS) are emergency intervention activities which include:

- investigating complaints
- coordinating family and community support resources,
- strengthening current living situations,
- removing people from unsafe situations,
- developing and protecting personal financial resources, and
- facilitating legal intervention.

Any individual 60 and older who is at risk of physical or mental harm due to abuse, neglect and/or exploitation are eligible to obtain adult protective services.

Social workers from the local office of APS provide or arrange for intervention services. They operate under guidance and policies of the Department of Public Health and Human Services.

Contact:

- your local county APS office
- toll-free information line 1-800-551-3191

Legal Services

Montana Legal Services Developer in the Office on Aging provides training for seniors, family members and others on elder law. The program also develops pro bono and local legal services referrals, training materials and telephone assistance to seniors on legal related questions.

Contact: Senior & Long-Term Care Division
DPHHS at 1-800-332-2272
or (406) 444-4077

Long Term Care Ombudsman Services

Ombudsmen are advocates for all residents of long-term care facilities (nursing homes, and assisted living). They act as an access point for consumers, providing information or direct assistance regarding concerns or complaints about the health, safety, welfare and rights of residents.

Services are provided through a network of the State, Regional and Local Ombudsman and volunteers. Ombudsmen provide routine visitation, complaint investigation, information and consultation, advocacy for residents rights and quality care, educating consumers and providers and promote resident and family councils in long-term care facilities.

Signs posted in facilities give the contact information for local, regional and state ombudsmen. For more information, contact the Regional or Local Ombudsman through your local Area Agency on Aging at 1-800-551-3191 or the State Ombudsman at 1-800-332-2272.

SLTCD = Senior and Long Term Care Division

Governor's Advisory Council and State Coordinator on Aging

The Office on Aging and an 11-member Advisory Council advise the Governor through the Coordinator on Aging in the planning and operation of programs within state government that affect older Montanans.

The Advisory Council, appointed by the Governor, provides local input to the managers and developers of services. The Council also sponsors the annual Governor's Conference on Aging.

The Coordinator on Aging provides leadership in the development of cooperation among the various state agencies to encourage responsiveness to the needs of older Montanans. The Coordinator is also a policy advisor to the Governor.

Contact: Senior & Long-Term Care Division
DPHHS at (406) 444-4077

Office on Aging

The Department of Public Health & Human Services has been designated as the State Unit on Aging and is responsible for development and administration of the various programs and agencies funded under the Federal Older Americans Act.

The Senior & Long-Term Care Division – Office on Aging is the focal point within the department that administers and approves the local planning and service process with Montana's 10 Area Agencies on Aging. As identified in the Older Americans' Act, the Office is responsible for the reporting, monitoring, assessment, and auditing of the local programs, as well as the development of the State Plan on Aging.

Phone number: (406) 444-4077
1-800-332-2272

Address: 111 N. Sanders, Rm. 210
PO Box 4210
Helena MT 59604-4210

Area Agencies on Aging

Montana's 10 Area Agencies on Aging are "grass roots" administrators of programs and services for individuals 60 and over. They are charged with:

- the continuing process of planning services for older persons at the local level
- coordinating the actual delivery of needed services
- fully utilizing existing services and resources, and
- developing new or additional resources

The map shows each of the Areas and their phone numbers, and a Toll-Free number for direct access to both your area agency and Adult Protective Services Line. 1-800-551-3191.

Area Agencies on Aging: Direct Line/Toll-Free to Area Agencies 1-800-551-3191

Counties & Reservations Served:

Area I Agency on Aging
Action for Eastern Montana
2030 N. Merrill Ave.
PO Box 1309
Glendive MT 59330-1309
406-377-3564
FAX 406-377-3570

Counties & Reservations Served:

Carter
Custer
Daniels
Dawson
Fallon
Fort Peck
Garfield
McCone
Phillips
Powder River
Prairie
Richland
Roosevelt
Rosebud
Sheridan
Treasure
Valley
Wibaux

N Central Area III Agency on Aging
600 So. Main St., Ste. 4
Conrad MT 59425-2335
406-271-7553
FAX 406-271-7553

Counties & Reservations Served:

Blaine
Blackfeet
Chouteau
Fort Belknap
Glacier
Liberty
Pondera
Teton
Toole

Area V Agency on Aging
305 W. Mercury #212
Butte MT 59701
406-782-5555
FAX 406-782-5662

Counties & Reservations Served:

Beverhead
Deer Lodge
Granite
Madison
Powell
Silver Bow

Area VIII Agency on Aging
501 Bay Drive
Great Falls, MT 59404
406-454-6990
FAX 406-454-6991

Cascade

Area II Agency on Aging
1502 4th St West
PO Box 127
Roundup MT 59072-0127
406-323-1320
FAX 406-323-3859

Big Horn
Crow
Carbon
Fergus
Golden Valley
Judith Basin
Musselshell
Northern Cheyenne
Petroleum
Stillwater
Sweetgrass
Wheatland
Yellowstone

Area IV Agency on Aging
201 South Last Chance Gulch
Box 1717
Helena MT 59624-1717
406-447-1680
FAX 406-457-7365

Broadwater
Gallatin
Jefferson
Lewis & Clark
Meagher
Park

Area VI Agency on Aging
Western Montana Area
Agency on Aging
110 Main Street, Ste. 5
Polson MT 59860-2127
406-883-7284
FAX 406-883-7363

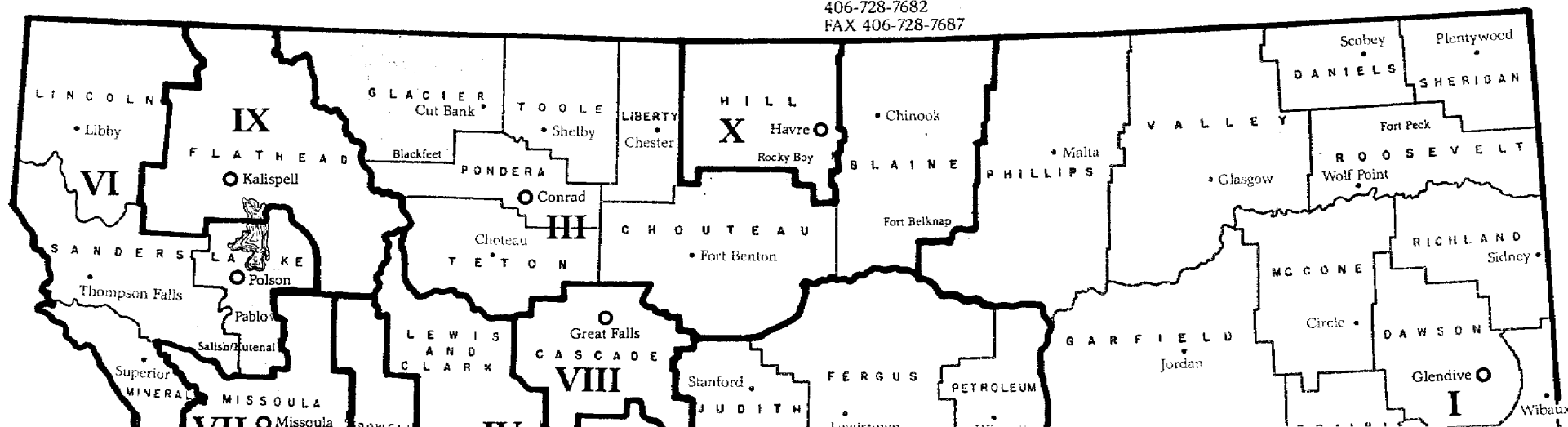
Lake
Lincoln
Mineral
Salish/Kootnai
Sanders

Area IX Agency on Aging
160 Kelly
Kalispell, MT 59901-5143
406-758-5730
FAX 406-758-5732

Flathead

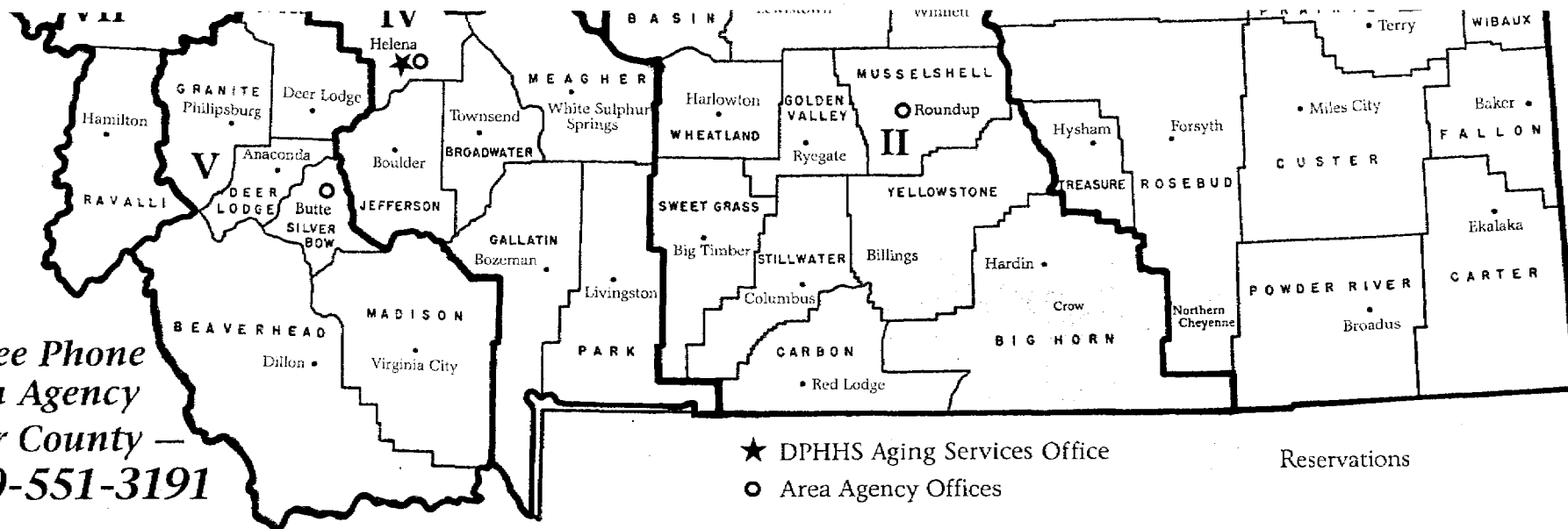
Area X Agency on Aging
2 West Second Street
Havre, MT 59501-3434
406-265-5464
FAX 406-265-3611

Hill
Rocky Boy



468

**Toll-Free Phone
to Area Agency
in your County —
1-800-551-3191**



Services Provided Through Area Agency Offices:

Each area agency's plan, based on the needs of those 60 and older of the area, determines the available services. The services listed are not necessarily provided in all area agencies or communities in Montana.

- Assisted Transportation
- Case Management Services
- Congregate Meal Service
- Elder Abuse Prevention
- Friendly Visiting Service
- Health Screening Service
- Home Chore Service
- Home-Delivered Meal Service
- Home Health Services
- Homemaker Service
- Information & Assistance Service
- Legal Services
- Medical Transportation
- Nutrition Education
- Ombudsman Services
- Outreach to the Community
- Outreach to Individuals
- Personal Care Service
- Respite Care
- Senior Center Service
- Shopping Assistance
- Skilled Nursing Service (In-Home)
- Telephone Reassurance
- Transportation Service

School Facilities Specifically Funded under HB 645 (H Approp Comm)

3/25/2009

--Office of Public Instruction

Huntley Project Public Schools - \$3M

Build new High School.
School was destroyed in Sept 2008 fire.

Other funding sources for project if stimulus money does not materialize

We will run a bond issue to build.
We will run mill levies for fund operations
Estimated loss due to the fire - \$6,289,000 no commitment from the insurance company

Browning Public Schools - \$500K

To build a vo-tech facility.
No other funding source stated for building this facility.

Other funding sources for project if stimulus money does not materialize

\$500 will help to fund this project that is estimated at \$1.8 M.

Brockton Public Schools - \$500K

Multitude of Projects in mind:
remodel locker rooms
Sound and Bell system needed - intercom
Law suit against district for non compliance for handicap accessible
Lost suit, needs ramps, doors, etc.
Boilers needed
Water pipe will continue to break about every 6mths until replaced

Other funding sources for project if stimulus money does not materialize

No other funding sources available

Conrad Public Schools- \$626 K

Remodel High School -
insulation
Boilers - heating system

Other funding sources for project if stimulus money does not materialize

Original project over budget.
Left school with large shortage due to design problems
\$ needed for supplementing over budget costs for project
Project was put on hold.

No other funding sources available

Blue Creek School - \$1.24 M

Project is to build a middle school
approx total cost \$5M

Other funding sources for project if stimulus money does not materialize

Blue Creek has voter approved bonds that were never issued (\$3.8 M)
due to the project needing many more dollars to move forward.
pending in bonds - \$3.8M
requesting \$1.24 M

No other funding source available at this time.

3 - FINANCE & CLM
No 18
3 - 31-01
400-642

2696

School Facilities Specifically Funded under HB 645 (H Approp Comm)

3/25/2009

--Office of Public Instruction

Huntley Project Public Schools - \$3M

Build new High School.
School was destroyed in Sept 2008 fire.

Other funding sources for project if stimulus money does not materialize

We will run a bond issue to build.
We will run mill levies for fund operations
Estimated loss due to the fire - \$6,289,000 no commitment from the insurance company

Browning Public Schools - \$500K

To build a vo-tech facility.
No other funding source slated for building this facility.

Other funding sources for project if stimulus money does not materialize

\$500 will help to fund this project that is estimated at \$1.8 M.

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Multitude of Projects in mind:
remodel locker rooms
Sound and Bell system needed - intercom
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No other funding sources available

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Boilers - heating system

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No other funding source available at this time.

FINANCE & CLERK
NO. 13
3-31-09
1103 645

5700



MONTANA LEGISLATIVE BRANCH

Legislative Fiscal Division

Room 110 Capitol Building * P.O. Box 201711 * Helena, MT 59620-1711 * (406) 444-2986 * FAX (406) 444-3036

Legislative Fiscal Analyst
CLAYTON SCHENCK

FA FOL NO. 14
DATE 3-31-09
Bill No. 113 675

DATE: March 31, 2009

TO: Senate Finance and Claims Committee

FROM: Kris Wilkinson, Fiscal Analyst II *KW*

RE: Maintenance of Effort Requirements for Local Education Agencies

Under the American Recovery and Reinvestment Act (ARRA) of 2009, local education agencies are required to meet maintenance of effort requirements for federal funds.

Title I maintenance of effort requirements for local education agencies require the school districts to spend not less than 90 percent from state and local funds then they spent in the previous two years. The local school districts are not required to provide additional state or local funds for the additional Title I funds they will receive under the ARRA.

Requirements for the Individuals with Disabilities Education Act (IDEA) maintenance of effort include allowing the local school district to reduce their fiscal efforts dedicated to special education by up to 50 percent of the increase of the federal funds received. Under this regulation, Montana could permanently reduce its maintenance of effort for special education by \$18.354 million in FY 2010. The federal funds are received in FY 2010. Funds "freed up" in this manner must be spent on general education in the local school districts.

The concern for school districts in relation to the "freed up" funds is as follows:

- o Districts free up \$18.354 million of state and local funds currently used to provide services to 18,158 children with special education needs in FY 2010
- o \$18.354 million of freed up funds are used to provide for general education costs such as salaries and benefits of teachers in FY 2010 and in FY 2011, these costs are continued in FY 2012 and FY 2013 and must be supported by the freed up funds
- o Federal IDEA funds received under the ARRA are used to provide for the special education services to 18,158 children in FY 2010 and FY 2011
- o In FY 2012 and FY 2013 the school district federal ARRA funds under IDEA are eliminated and now the districts must provide for the costs of providing services to the 18,158 children needing special education with less federal funds and reduced state and local maintenance of effort (\$18.354 million less)

School districts can carry forward up to 100 percent of their current IDEA funds and use the federal funds in ongoing biennia. Using this option would allow for "smoothing" out of the funding shifts over the next two biennia.



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Exhibit No. 75
Date 3-31-09
Bill No. 103 646

American Recovery & Reinvestment Act of 2009



• Introduction - Superintendent of Public Instruction, Denise Juneau



• Maintenance of Effort - Madalyn Quinlan



• Achieving Equity in Teacher Distribution - BJ Granbery

• Improving Collection and Use of Data - Madalyn Quinlan



• Standards and Assessment - BJ Granbery & Judy Snow

• Supporting Struggling Schools - BJ Granbery

• Question and Answer - All Presenters



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American Recovery and Reinvestment Act

Assurances Required for Education Funds And how they will drive reform





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Refresher

- Schedule of Presentations
 - Two weeks ago - Overview of ARRA
 - Today - Assurances
 - April 1 – Title I
 - April 15 - IDEA
- Check OPI website often:
 - "Recovery Act News"
 - Documents and questions/answers

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Today's Topic: Assurances

- Required for a State to receive State Fiscal Stabilization Funds (SF)
- Even if all the SF funds offset shortfalls in Higher Education, K-12 will still benefit by state funding holding steady for FY2010 and FY2011
- OPI and K-12 must show progress in certain areas to obtain a State Incentive Grant (Race to the Top Grants)

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Areas Covered by Assurances

1. College and Career Ready Standards and High Quality Assessments
2. Robust Pre-K to College and Career Data Systems
3. Improvements in Teacher Effectiveness and equitable distribution of qualified teachers
4. Intensive support and interventions for the lowest-performing schools

5



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Race to the Top Grants

- Sec. Duncan calls the State Incentive Grants "Race to the Top" Grants.
- Encourages multi-state consortia to seek excellence in the reform areas.
- States must show progress on the assurances to obtain one of these grants.
- 50% of the funds will flow to districts based on the Title I formula.

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Overall Goals of Education Funding in ARRA

1. Spend funds quickly to save and create jobs
2. Improve student achievement through school improvement and reform
3. Ensure transparency, reporting, and accountability,
4. Thoughtfully invest to minimize the "funding cliff" (these are one time only)

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Governor's Application for SF

- Applications for the SF will be available to the Governor by the end of March
- The U.S. Dept of Ed is using data already submitted by OPI or found in other public reports for all the assurances except Maintenance of Effort
- Besides details on Maintenance of Effort, the Governor will need to describe in the application how the funds will be used. As of now, it all appears to be supporting Higher Education.

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6/12/10



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1: Maintenance of Effort Assurance

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Maintenance of Effort

(A) ELEMENTARY AND SECONDARY EDUCATION

The State will, in each of fiscal years 2009, 2010, and 2011, maintain State support for elementary and secondary education at least at the level of such support in fiscal year 2006.

(B) HIGHER EDUCATION

The State will, in each of fiscal years 2009, 2010, and 2011, maintain State support for public institutions of higher education (not including support for capital projects or for research and development or tuition and fees paid by students) at least at the level of such support in fiscal year 2006.

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State Support for Elementary and Secondary Education

- FY 2006 \$598.1 million
- FY 2007 \$648.6 million
- FY 2008 \$687.3 million
- FY 2009 \$705.6 million
- FY 2010 \$713.4 million (HB 2)
- FY 2011 \$724.8 million (HB 2)

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2: Achieving Equity in Teacher Distribution Assurance

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Achieving equity in teacher distribution

- The State will take actions to improve teacher effectiveness and comply with the ESEA
- To address inequities in the distribution of highly qualified teachers between high and low poverty schools
- And to ensure low income and minority students are not taught at higher rates than other children by inexperienced or out of field teachers
- Baseline data for this assurance will come from the Consolidated State Performance Report (CSPR) already submitted by OPI to U.S. Ed.

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Achieving equity in teacher distribution

- Montana's data for SY2007-2008 reveals no difference in the percent of highly qualified teachers between high and low poverty schools
- High poverty Elementary Schools: 99.3% are highly qualified; low poverty: 99.8%
- High poverty Secondary Schools: 98.2 % are highly qualified; low poverty: 98.6%

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9/05



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Achieving equity in teacher distribution

- In the last few months, OPI sent out surveys to collect more information on highly qualified teachers due to findings from the U.S. Dept. of Ed on our definitions in two areas:
- High School Special Education teachers who teach core academic subjects, and
- High School teachers with a minor instead of a major in subject they are teaching.

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Achieving equity in teacher distribution

- As a result of the new surveys and further refinements to the Annual Data Collection, changes in the percent highly qualified overall may drop slightly.
- We do not expect wide discrepancies to develop between high poverty and low poverty schools, however.

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Achieving equity in teacher distribution

- OPI does not currently collect information on experienced vs. inexperienced teachers, so that may need to be added to our data collection.
- Districts with more than one school per grade span will need to help ensure the equitable distribution of experienced vs. inexperienced teachers among schools in the district.

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#3: Improving Collection and Use of Data Assurance

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Improving Collection and Use of Data

- State will establish a longitudinal data system that includes the elements described in Section 6401(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871).

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Improving Collection and Use of Data

- U.S. Ed will use the results of a survey conducted in Sept. 2008 by the Data Quality Campaign and the National Center for Education Achievement to establish a State's baseline data for improving the collection and use of data.

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Required elements of a statewide P-16 education data system

- The State shall ensure that the statewide P-16 education data system includes the following elements:

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With regard to preschool through grade 12 education and postsecondary education . .

- ✓ A unique statewide student identifier that does not permit a student to be individually identified by users of the system
- ✓ Student-level enrollment, demographic, and program participation information
- ✓ Student-level information about the points at which students exit, transfer in, transfer out, drop out, or complete P-16 education programs

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Continued . . .

- ✓ The capacity to communicate with higher education data systems
- A State data audit system assessing data quality, validity, and reliability

With respect to preschool through grade 12 education . . .

- ✓ Yearly test records of individual students with respect to statewide assessments required by ESEA
- ✓ Information on students not tested by grade and subject
- A teacher identifier system with the ability to match teachers to students

6/14/1



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Continued . . .

- Student-level transcript information, including information on courses completed and grades earned
- Student-level college readiness test scores

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With respect to postsecondary education, data that provide . . .

- Information regarding the extent to which students transition successfully from secondary school to postsecondary education, including whether students enroll in remedial coursework
- Other information determined necessary to address alignment and adequate preparation for success in postsecondary education

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9/15



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#4: Improving Standards and Assessment Assurance

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Assessment Assurances

- The state will enhance the quality of the academic assessments it administers to meet the requirements of Sec.1111(b)(3) of the ESEA through activities described in Section 6112(a) of ESEA.
- The U.S. Dept of Ed will use information from state specific letters issued in January and February 2009 to establish baseline data for this assurance. Montana has a fully approved system.

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Requirements

- Collaboration with higher education, other research institutions, or other organizations to improve the CRT beyond current requirements including valid and reliable assessments and accommodations for children with disabilities and/or with limited English proficiency
- Multiple sources to measure student achievement
- Chart student progress over time
- Development of comprehensive academic assessment instruments such as performance and technology-based academic assessments

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Current Projects

- Poise Montana for improving the CRT and inclusion of students with disabilities and students with limited English proficiency.
 - Current research grants
 - Current research partnerships
 - Plans for enhanced assessment grants and partnerships

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Current 2% Grant--EAG

- Enhanced Assessment Grant (EAG)—2% Grant
 - Collaboration of five states, Measured Progress, the Education Development Center (EDC), Arizona State University, and WestEd
 - High school reading
 - Investigate strategies that states can use to adapt their assessments based on grade-level academic achievement standards

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Current 2% Grant--GSEG

- General Supervision Enhancement Grant
- Collaboration with Measured Progress, Children's Progress, WestEd, and Mountain Plains Regional Resource Center
- Grade 7 Reading and Math, Grade 8 Math
- Investigate a computer-based format with prompts for items based on students' answer choice

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Current Partnership Online Accommodations

- "Critical Partner" for an Enhanced Assessment Grant (EAG) awarded to New Hampshire, Vermont, and Rhode Island
- Collaboration with Nimble Assessment System, 8 other states, Measured Progress, and the National Center for Educational Outcomes
- Purpose to provide universal access through computer-based testing. Grant is researching the delivery of state tests online to students with targeted accommodations
- Grades 4, 8, and 11 Science

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Current Partnership Accommodations for Students Identified as LEP

- Northwest Regional Comprehensive Center
- Research on accommodations for students identified as Limited English Proficient

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Future Directions

- Continue the research collaborations and apply for grants to move the work from research to implementation
- Continue the partnership with New Hampshire to apply for a grant to pilot online accommodations in Montana
- Both the GSEG grant (online testing) and the New Hampshire online accommodations projects can set the stages for exploring online testing statewide
- Partner to study and set the stages for online testing statewide
- Continue to partner on accommodations research for students identified as Limited English Proficient

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Improving Standards

- States must take steps to improve state academic content standards and student academic achievement standards consistent with the America COMPETES Act.
- The U.S. Dept. of Ed will use baseline data from Achieve's 2009 report "Closing the Expectations Gap" to establish this baseline.

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Improving Standards

- States must identify the content knowledge and skills necessary for success without remediation in higher education, the workforce, and the Armed Forces.
- This must be based on detailed requirements obtained from institutions of higher education, employers, and the Armed Forces.

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Improving Standards

- States must then identify and make changes that need to be made to:
- secondary school graduation requirements
- academic content standards
- academic achievement standards

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Improving Standards

- and assessments which precede graduation in order to align the requirements, standards, and assessments with the knowledge and skills necessary for success in academic credit-bearing coursework in postsecondary education, in the 21st century workforce, and in the Armed Forces without remediation.

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Improving Standards

- Current standards revision work in Montana conducted by the OPI Accreditation Division with many participants from across the state has already begun to incorporate the changes needed for preparing students for the 21st century workforce. Other efforts will follow in order to make progress on this Assurance.

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#5: Supporting Struggling Schools Assurance

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Supporting Struggling Schools

- The State will ensure compliance with the requirements of ESEA related to corrective action and restructuring for schools that continue to not make adequate yearly progress.
- Currently there are 5 schools in corrective action and 40 in restructuring (3 of those in restructuring are in holding and could be out of improvement if AYP is made this year).

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Corrective Actions

- A district is required to take one or more of these corrective actions with a school in this status:
 - Replace school staff who are relevant to the failure to make AYP
 - Institute and fully implement a new curriculum including appropriate professional development
 - Significantly decrease management authority at the school level

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Corrective Actions

- Appoint an outside expert to advise the school on its progress toward making AYP
- Extend the school year or school day
- Restructure the internal organization of the school
- Note: If a district fails to take action, the State is required to take one or more of the actions.

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Restructuring

- After a year of planning the restructuring of a school in this status, the district must implement one of the following alternative governance arrangements, consistent with state law:
 - Reopen the school as a charter school
 - Replace all or most of the school staff (including the principal) who are relevant to the school not making AYP

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Restructuring

- Contract with an entity such as a private management company to operate the school
- Turn the operation of the school over to the State, if permitted and agreed to by the State
- Any other major restructuring that makes fundamental changes to school governance

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Supporting Struggling Schools

- For baseline data on this assurance, the U.S. Dept of Ed will use data from the Consolidated State Performance Report (CSPR) on the names and numbers of schools in corrective action and restructuring for the 2008-2009 school year (based on assessments in the 2007-2008 school year).

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WRAP UP

Don't forget to submit a question by typing it in the Q &A box on the left of your screen.

We will answer questions now and will post written answers within a few days on the OPI website under "Recovery Act News".

This full presentation will also be available there for future viewing and listening for your convenience.

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MONTANA STATE SENATE
Visitors Register

Finance and Claims Committee

Date 3-31-2009

Bill No. HB 645 Sponsor(s) Representative Sessa

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Mary "Marty" Shippen	MT. Assn. Clerks of Dist. Ct. Mt. Magistrates' Assn.	✓ Self-Help Law Program		
Jim Morton	HRJC-XI	✓		
Kate Bradford	Montana Food Bank Network	✓		
LATHY McGowan	CMHS MCAA MSPA	✓		
Rep Brady Williams	AD65	✓		
Ag + Nanci Dussell	Russell County Fair	✓		
Claudia Clifford	AARP MT	✓		
John Reissmann	DISABILITY RIS MIT	✓		
Travis Hoffman	STLC + 4 ILCS	✓		
Patrick Council	Ricky & the Leg Horses	✓		
Coiff Tress	Int Telecon Assn		✓	
Harold Blatter	NACE	✓		
Linda Stice	KEATKES & Co	✓		
STAN, CHILL	MACTCS	✓		
4th Key	UWCA - House	✓		
Mark Sanders	SIAM	✓		
Denise Janow	OPI	✓		
Steve Nelson	MCI	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

928

Visitors Register

Finance and Claims Committee

Date 3-31-2009

Bill No. HB 645 Sponsor(s) Representative Sasse

PLEASE PRINT

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[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

Visitors Register

Finance and Claims Committee

Date 3-31-2009 5:15PM

Bill No. HB 645 Sponsor(s) Representative Sesso

PLEASE PRINT

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PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register

Finance and Claims Committee

Date 3-31-2009

Bill No. HB 645 **Sponsor(s)** Representative Sessio

PLEASE PRINT

PLEASE PRINT

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Name and Address	Representing	Support	Oppose	Inf.
Chere Justo	MT Preservation Alliance	x		
Laurie Lamson	DDHH S			x
Shela Stearns	MT Univ System	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on April 1, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dave Lewis, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Rick Ripley (R)
Sen. Trudi Schmidt (D)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Debby Barrett (R)
Sen. John Brueggeman (R)
Sen. Steven Gallus (D)
Sen. Jim Peterson (R)
Sen. Carol Williams (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

SENATE COMMITTEE ON FINANCE AND CLAIMS

April 1, 2009

PAGE 7 of 8

03:13:58 Mr. Peura
03:14:15 Sen. Laible
03:15:19 Mr. Peura
03:16:15 Sen. Laible
03:16:30 Mr. Peura
03:16:53 Sen. Tropila
03:17:06 Chairman Bales
03:17:19 Sen. Tropila
03:17:51 Ms. McCulloch
03:18:55 Sen. Tropila
03:19:26 Mr. Kane, DLI
03:20:05 Sen. Lewis
03:20:49 Mr. Boyer

Closing by Sponsor:

03:21:45 Rep. Wiseman

03:24:47 Chairman Bales
03:24:55 Rep. Sesso
03:26:06 Chairman Bales

Public Testimony on HB 645:

03:26:52 James Steele, Jr., Chairman of Confederated Salish and
Kootenai Tribes

EXHIBIT(fcs72a09)

03:30:36 Sen. Juneau

03:30:42 Chairman Bales
03:31:56 Sen. Williams
03:32:20 Chairman Bales
03:33:59 Sen. Hawks
03:34:29 Chairman Bales
03:35:48 Sen. Hawks
03:36:05 Chairman Bales

EXHIBIT(fcs72a10)

SENATE COMMITTEE ON FINANCE AND CLAIMS

April 1, 2009

PAGE 8 of 8

ADJOURNMENT

Adjournment: 11:43 A.M.

Prudence Gildroy, Secretary

pg

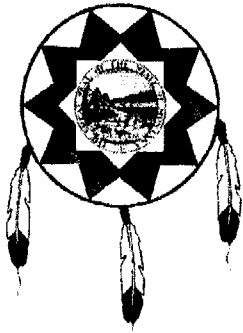
Additional Documents:

EXHIBIT(fcs72aad.pdf)

MONTANA STATE SENATE
Roll Call
FINANCE AND CLAIMS COMMITTEE

DATE: 4-1-09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR KEITH BALES, CHAIRMAN	✓	
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓	
SENATOR GREGORY BARKUS	✓	
SENATOR DEBBY BARRETT		✓
SENATOR JOHN BRENDEN	✓	
SENATOR JOHN BRUEGGEMAN	✓	
SENATOR MIKE COONEY	✓	
SENATOR JOHN ESP	✓	
SENATOR STEVE GALLUS		✓
SENATOR KEN HANSEN	✓	
SENATOR BOB HAWKS	✓	
SENATOR RICK LAIBLE	✓	
SENATOR JIM PETERSON		✓
SENATOR RICK RIPLEY	✓	
SENATOR TRUDI SCHMIDT	✓	
SENATOR MITCH TROPILA	✓	
SENATOR DAVID WANZENRIED	✓	
SENATOR CAROL WILLIAMS		✓
SENATOR RYAN ZINKE	✓	



MONTANA
AMERICAN INDIAN
CAUCUS

ADDRESS:

PO Box 200400
HELENA, MT 59620
PHONE: 406.444.1634
FAX: 406.444.4362

SENATE MEMBERS:

CAROL JUNEAU (CHAIR)
JONATHAN WINDY BOY
SHARON PEREGOY
JOE TROPILA

HOUSE MEMBERS:

SHANNON AUGARE
MARGARETT CAMPBELL
TONY BELCOURT (CHAIR)
CAROLYN PEASE-LOPEZ
DAVID ROUNDSTONE
FROSTY CALF BOSS RIBS

CAUCUS STAFF:

JASON SMITH
ADRIAN MAIN

Exhibit No. 9
Date 4-1-09
Bill No. HB 645

April 1, 2009

Dear Senate Finance & Claims Committee:

On behalf of the Indian Nations and those who we serve in the Big Sky Country, the undersigned Tribal Chairpersons and Indian Legislators respectfully request American Recovery and Reinvestment Act funding for our shovel ready projects. In this, the current economy of our nation, our state, and our tribes, the people of Big Sky Country are facing high unemployment rates, job losses, and budget constraints. We are looking forward to working in cooperation with the State of Montana in providing healthy and sustainable services, jobs, and education programs for our Montana citizens.

The President signed the American Recovery and Reinvestment Act of 2009 (ARRA) into law on February 9, 2009 and HB 645 is currently under consideration by the Montana Legislature and will appropriate three million to the tribal nations of Montana. As you know, we have one of the greatest needs for infrastructure investment due to the high rates of poverty and isolation of our reservation communities. As such, we request your support for funding our shovel ready projects which will immediately begin.

According to the latest Census figures of Montana, our American Indian population is estimated to be 7 percent of Montana's total population. The unemployment rates on reservations are as high as 50 percent. The ARRA funds are approximately \$250 million statewide and we feel that the following tribal projects meet the requirements of ARRA to be funded. Here is the list of prioritized tribal projects from each tribal nation:

- **CSKT**
- Greenhouse Expansion: \$750,000 this project creates 2 full time positions and 20-25 seasonal planting employment.
- **Total: \$ 750,000**

- **Ft. Peck**
- Ft. Kipp Irrigation Project: \$1 million this project creates 42 jobs.
- **Total: \$ 1 million**

- **Ft. Belknap—**
- Housing/Bathroom Renovation: \$850,000 this projects
- **Total: \$ 850,000**

- **Blackfeet Tribe**
- East Glacier Water Line Project: \$ 1 million
- Browning Treatment Facility Infrastructure: \$ 1 million

9/35

- **Blackfeet Tribe**
- East Glacier Water Line Project: \$ 1 million
- Browning Treatment Facility Infrastructure: \$ 1 million
- **Total: \$ 2 million**

- **Northern Cheyenne**
- Lame Deer and Muddy Cluster Water System Improvement Project: \$ 750,000.
- **Total: \$ 750,000**

- **Crow—**
- Lodge Grass Water (Phase 1): \$ 805,300 with 20 jobs created.
- Lodge Grass Sewer (Phase 1): Lagoon Upgrade: \$ 861,000
- **Total: \$ 1.7 million**

- **Chippewa Cree Tribe**
- Parker School Water Storage Tank: \$1.2 million—40 jobs created.
- **Total: \$ 1.2 million**

- **Little Shell Tribe of Chippewa Indians**
- Morony Dam Building Remolding: \$200 K
- Enhancing Tribe's Federal Recognition to receive land base.
- Senator Joe Tropila elected by Little Shell Tribe for their representation.
- **Total: \$ 200,000**

- **Tribes Total: \$ 8.45 million**

The State of Montana as well as the Tribal Nations well benefit from the resubmitted funding requests. The Montana Tribal Leaders and Montana American Indian Caucus are in full support of these fully funded projects. We look forward to a continued government to government relationship.

Sincerely Yours,

Montana State Legislature

Exhibit 10

This exhibit is an oversized booklet which cannot be scanned, therefore only the front cover has been scanned to aid in your research.

The original exhibits are on file at the Montana Historical Society and may be viewed there.

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STATE OF MONTANA

SENATE FINANCE & CLAIMS

Exhibit No. 10

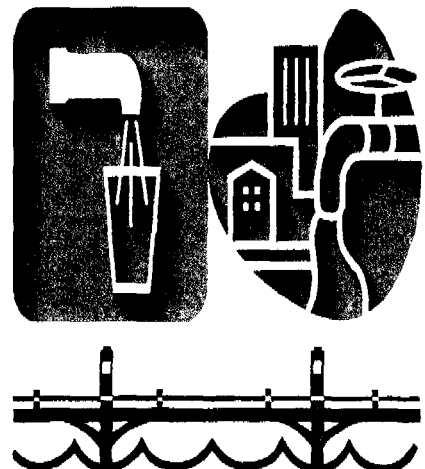
Date 4-1-09

Bill No. HB 11

Governor's Executive Budget Fiscal Years 2010 - 2011

Treasure State Endowment Program

Department of
Commerce



Volume 4

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09/11

Visitors Register

Finance and Claims Committee

Date 2-1-2009

Bill No. 18645 Sponsor(s) Representative Sasso

PLEASE PRINT

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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on April 8, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dave Lewis, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. John Brueggeman (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Steven Gallus (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Jim Peterson (R)
Sen. Rick Ripley (R)
Sen. Trudi Schmidt (D)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)
Sen. Carol Williams (D)
Sen. Ryan Zinke (R)

Members Excused: None

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

SENATE COMMITTEE ON FINANCE AND CLAIMS

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Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 676; HB 258; HB 5; HB 10; HB 645

00:00:00 Chairman Bales
00:01:16 Sen. Cooney
00:01:47 Chairman Bales
00:04:21 Sen. Cooney
00:04:51 Chairman Bales
00:05:46 Sen. Cooney
00:05:57 Chairman Bales
00:06:39 Sen. Cooney
00:06:43 Sen. Hawks
00:07:00 Chairman Bales
00:07:34 Sen. Hawks
00:07:43 Chairman Bales
00:08:48 Sen. Esp
00:09:05 Sen. Wanzenried
00:09:17 Chairman Bales
00:11:39 Sen. Wanzenried
00:11:58 Chairman Bales
00:12:22 Sen. Esp
00:13:22 Chairman Bales
00:13:34 Sen. Wanzenried
00:13:49 Chairman Bales
00:14:25 Sen. Wanzenried
00:14:48 Chairman Bales
00:15:14 Sen. Wanzenried
00:15:24 Chairman Bales
00:15:47 Sen. Wanzenried
00:15:52 Chairman Bales
00:17:04 Sen. Williams
00:17:40 Chairman Bales
00:18:37 Sen. Williams
00:19:18 Chairman Bales
00:19:29 Sen. Williams
00:19:52 Chairman Bales

EXECUTIVE ACTION ON HB 676

00:21:56 **Motion:** Sen. Esp moved that **HB 676 BE CONCURRED IN AS AMENDED.**

00:22:15 **Motion:** Sen. Lewis moved that **HB 676 BE AMENDED.**
EXHIBIT(fcs77a01)

SENATE COMMITTEE ON FINANCE AND CLAIMS

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02:44:21 **Vote:** Motion failed 8-11 by roll call vote with Sen. Brueggeman, Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, and Sen. Williams voting aye. Sen. Hansen voted by proxy.

02:45:39 **Motion:** Sen. Lewis moved that **HB 10 BE CONCURRED IN AS AMENDED.**

Discussion:

02:46:00 Sen. Cooney

02:46:29 **Vote:** Motion carried 18-1 by voice vote with Sen. Brenden voting no. Sen. Hansen voted by proxy

02:47:52 Sen. Brenden

02:47:55 Chairman Bales

02:47:59 Recess

02:56:34 Reconvene

All committee members present

EXECUTIVE ACTION ON HB 645

02:57:39 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN.**

Global and Technical Amendments

02:57:44 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a11)

Discussion:

02:58:52 Pam Joehler, LFD

03:00:38 Sen. Esp

03:00:52 Chairman Bales

03:00:58 Director David Ewer, Office of Budget and Program
Planning (OBPP)

03:04:08 Chairman Bales

03:04:11 Amy Carlson, OBPP

EXHIBIT(fcs77a12)

03:09:53 Sen. Lewis

03:10:17 Sen. Esp

03:10:45 Sen. Tropila

03:10:59 Ms. Carlson

SENATE COMMITTEE ON FINANCE AND CLAIMS

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03:11:33 Sen. Esp
03:11:57 Ms. Carlson
03:14:10 Chairman Bales
03:14:35 Sen. Tropila
03:15:09 Sen. Esp
03:15:33 Chairman Bales
03:15:39 Sen. Esp
03:17:18 Chairman Bales
03:17:53 Sen. Hawks
03:18:02 Chairman Bales
03:18:47 Ms. Joehler
03:19:33 Sen. Hawks
03:19:53 Sen. Esp
03:20:26 Ms. Joehler
03:20:44 Chairman Bales
03:21:01 Sen. Wanzenried
03:21:22 Ms. Joehler
03:22:06 Sen. Wanzenried
03:22:25 Ms. Joehler
03:22:34 Sen. Wanzenried
03:22:44 Chairman Bales
03:22:49 Sen. Esp
03:23:12 Ms. Carlson

03:23:23 **Vote:** Motion carried unanimously by voice vote.

03:23:33 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

Discussion:

03:23:44 Sen. Esp
03:24:04 Ms. Carlson
03:24:40 Sen. Esp
03:24:43 Ms. Purdy

03:25:47 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a13)

Discussion:

03:26:06 Sen. Esp
03:26:39 Ms. Carlson

03:27:20 **Vote:** Motion carried unanimously by voice vote.

03:27:28 Sen. Cooney
03:27:32 Chairman Bales
03:27:54 Ms. Purdy

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03:28:34 Chairman Bales

03:28:51 Sen. Esp

03:30:52 Chairman Bales

03:31:09 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**

EXHIBIT(fcs77a14)

Discussion:

03:31:12 Sen. Esp

03:36:35 Chairman Bales

03:36:38 Sen. Zinke

03:37:09 Sen. Esp

03:37:46 Sen. Wanzenried

03:38:05 Sen. Esp

03:39:00 Sen. Wanzenried

03:39:29 Sen. Esp

03:39:56 Sen. Wanzenried

03:40:14 Sen. Esp

03:40:49 Chairman Bales

03:40:53 Sen. Williams

03:41:56 Sen. Esp

03:43:32 Sen. Williams

03:43:47 Sen. Esp

03:44:13 Sen. Williams

03:44:31 Ms. Carlson, OBPP

03:44:33 Sen. Williams

03:44:57 Ms. Carlson

03:45:29 Director Ewer

03:46:32 Chairman Bales

03:47:43 Sen. Zinke

03:48:33 Sen. Esp

03:49:46 Sen. Zinke

03:50:24 Sen. Esp

03:50:48 Sen. Peterson

03:52:20 Sen. Wanzenried

03:52:55 Chairman Bales

03:52:57 Sen. Barkus

03:52:47 Sen. Esp

Sen. Brueggeman, Sen. Peterson, Sen. Ripley, Sen.
Schmidt, Sen. Williams and Sen. Zinke not present

03:54:12 Sen. Hawks

03:55:34 Sen. Esp

Sen. Peterson Sen. Williams now present

03:56:32 Sen. Hawks

03:56:48 Sen. Esp

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03:57:15 Sen. Laible
03:58:16 Sen. Wanzenried
Sen. Ripley present

03:59:21 Chairman Bales
03:59:32 Sen. Esp
04:00:03 Director Ewer
04:00:05 Sen. Esp
04:01:02 Director Ewer
04:02:11 Sen. Esp
04:02:36 Chairman Bales

04:02:40 **Substitute Motion:** Sen. Esp moved that **HB 645 BE AMENDED CONCEPTUALLY AT PARAGRAPH 10, LINE 7 STRIKING "DEPARTMENT MAY RETAIN 1/2 PERCENT OF GRANTS" AND INSERT "DEPARTMENT MAY RETAIN 1.25 OF GRANTS TO COUNTIES, CITIES AND TOWNS FOR ADMINISTRATIVE PURPOSES."**

04:03:38 Sen. Laible objected.
04:03:40 Chairman Bales
04:04:07 Sen. Tropila
04:04:45 Director Ewer
04:05:04 Chairman Bales

Sen. Zinke now present

04:05:27 Director Ewer
04:06:30 Sen. Tropila
04:06:55 Director Ewer

04:07:34 **Substitute Motion:** Sen. Esp moved a substitute motion **TO AMEND HB 645 INSERTING "THE DEPARTMENT MAY RETAIN 1.25 PERCENT OF THE AMOUNT OF GRANTS TO COUNTIES, CITIES, TOWNS, TRIBAL GOVERNMENTS AND SCHOOLS FOR ADMINISTRATIVE PURPOSES AND FOR PURPOSES OF COMPLYING WITH SECTION 24 OF HB 645 WHICH IS THE REPORTING AND ACCOUNTABILITY SECTION OF THE BILL."**

Discussion:

04:08:40 Chairman Bales
04:08:45 Sen. Laible
04:09:41 Sen. Esp
04:10:10 Chairman Bales
04:10:13 Sen. Lewis
04:11:28 Chairman Bales
04:11:33 Sen. Peterson

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Sen. Brueggeman, Sen. Ripley, Sen. Schmidt and Sen. Williams not present

04:12:42 Sen. Tropila
04:13:15 Sen. Esp
04:13:39 Chairman Bales
04:14:12 Sen. Esp

04:16:26 **Vote:** Motion carried 13-6 by roll call vote with Sen. Brenden, Sen. Cooney, Sen. Hansen, Sen. Hawks, Sen. Schmidt, and Sen. Tropila voting no. Sen. Brueggeman, Sen. Ripley, Sen. Schmidt and Sen. Tropila voted by proxy.

04:16:28 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

04:16:30 Sen. Esp withdrew his motion
04:16:49 Chairman Bales

04:17:05 Recess 12:22 p.m. until 3:30 p.m.

04:18:00 Reconvene 3:40 p.m.

04:18:02 Vice-Chair Lewis

04:18:08 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

04:18:20 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a15)

Discussion:

04:18:26 Sen. Esp
04:18:32 Ms. Purdy, LFD
04:18:41 Sen. Esp
04:20:27 Vice-Chair Lewis
04:20:46 Sen. Esp
Sen. Bales, Sen. Tropila and Sen. Williams not present
04:21:09 Vice-Chair Lewis
04:21:17 Sen. Schmidt
04:21:20 Sen. Esp
Sen. Williams now present and Sen. Zinke not present
04:27:16 Sen. Schmidt

Chairman Bales now present

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04:27:35 Sen. Esp
 04:27:57 Vice-Chair Lewis
 04:28:08 Sen. Schmidt
 04:28:28 Sen. Esp
 04:28:51 Sen. Laible
 04:29:14 Sen. Schmidt
 04:29:32 Sen. Esp
 04:29:57 Sen. Brenden
 04:30:36 Sen. Esp
 04:30:51 Vice-Chair Lewis
 04:30:57 Ms. Purdy
 04:31:26 Sen. Hawks
 04:32:43 Sen. Esp
 04:33:27 Sen. Hawks
 04:33:57 Ms. Joehler, LFD
 04:34:47 Sen. Hawks
 04:34:54 Sen. Esp
 04:35:35 Sen. Hawks
 04:35:33 Sen. Peterson
 04:36:28 Sen. Hawks
 04:37:34 Ms. Joehler
 04:38:31 Sen. Hawks
 04:38:46 Sen. Esp
 04:38:57 Sen. Hawks
 04:41:18 Sen. Esp
 04:43:24 Sen. Hawks
 04:44:38 Sen. Esp
 04:44:59 Kris Wilkinson, LFD
 04:45:22 Sen. Esp
 04:45:27 Ms. Wilkinson
 04:46:24 Sen. Esp
 04:46:39 Ms. Wilkinson
 04:46:52 Sen. Esp
 04:47:24 Sen. Hawks
 04:48:08 Sen. Esp
 04:48:36 Sen. Hawks
 04:49:19 Vice-Chair Lewis
 04:49:33 Ms. Wilkinson
 04:50:53 Sen. Hawks
 04:51:08 Ms. Wilkinson
 04:51:17 Vice-Chair Lewis
 04:51:25 Sen. Wanzenried
 04:51:45 Sen. Esp
 04:51:47 Sen. Wanzenried
 04:52:11 Sen. Esp
 04:52:40 Sen. Wanzenried
 04:53:17 Sen. Esp
 04:53:25 Sen. Wanzenried
 04:54:06 Sen. Esp
 04:54:26 Vice-Chair Lewis

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04:54:49 Ms. Purdy
04:55:13 Sen. Esp
04:55:29 Sen. Zinke
04:55:41 Sen. Peterson
04:56:33 Vice-Chair Lewis
04:56:34 Sen. Esp
04:56:48 Sen. Zinke
04:57:26 Vice-Chair Lewis

04:57:28 **Motion:** Sen. Cooney moved to **SEGREGATE THE
INTEROPERABILITY PORTION OF THE AMENDMENT, #14, #15,#16
and #51.**

Discussion:

04:58:18 Sen. Esp
04:58:39 Sen. Cooney
04:59:01 Sen. Peterson
05:00:08 Sen. Schmidt
05:00:24 Sen. Peterson
05:00:47 Sen. Schmidt
05:01:07 Sen. Esp
05:01:14 Sen. Zinke
05:02:22 Sen. Schmidt
05:02:30 Sen. Zinke
05:02:36 Sen. Esp
05:02:43 Ms. Purdy
05:03:22 Sen. Schmidt
05:03:52 Sen. Esp
05:04:16 Sen. Schmidt
05:04:25 Sen. Esp
05:05:15 Sen. Schmidt
05:05:23 Sen. Esp
05:05:25 Sen. Schmidt
05:05:30 Sen. Esp
05:06:08 Sen. Hansen
05:07:01 Sen. Esp
05:08:30 Vice-Chair Lewis

05:09:03 **Motion:** Sen. Hawks moved that **#43 AND #44 OF THE
AMENDMENT BE SEGREGATED AND A SEPARATE VOTE TAKEN.**

05:09:37 Sen. Esp
05:10:07 Vice-Chair Lewis
05:10:36 Sen. Ripley
05:11:12 Sen. Esp
05:11:36 Ms. Purdy
05:12:22 Sen. Barkus
05:12:39 Sen. Zinke

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05:13:28 Sen. Barkus
05:13:32 Sen. Zinke
05:13:48 Vice-Chair Lewis
05:14:00 Sen. Wanzenried
05:14:14 Vice-Chair Lewis
05:14:44 Sen. Wanzenried
05:15:11 Sen. Esp
05:16:21 Vice-Chair Lewis
05:16:28 Ms. Purdy
05:16:45 Ms. Wilkinson
05:17:54 Sen. Esp
05:18:03 Sen. Wanzenried
05:18:57 Sen. Williams
05:20:09 Sen. Tropila
05:21:16 Sen. Esp
05:21:51 Sen. Tropila
05:22:09 Sen. Esp
05:22:19 Sen. Gallus
05:23:48 Vice-Chair Lewis
05:24:03 Sen. Esp
05:25:15 Vice-Chair Lewis

Chairman Bales not present

05:26:29 **Vote:** Motion carried 12-7 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting no. Sen. Bales voted by proxy.

05:26:41 **Motion:** Sen. Esp moved **AMENDMENTS #43 AND #44.**

Discussion:

05:26:58 Sen. Hawks
05:27:41 Vice-Chair Lewis
05:27:54 Sen. Laible
05:28:16 Sen. Wanzenried
05:29:09 Sen. Barrett
05:29:37 Vice-Chair Lewis
05:29:40 Sen. Zinke
05:31:05 Sen. Cooney
05:31:13 Sen. Hawks
05:31:58 Sen. Esp

Sen. Williams not present

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05:32:26 **Vote:** Motion carried 10-9 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, Sen. Williams, and Sen. Zinke voting no. Sen. Bales and Sen. Williams voted by proxy.

05:33:41 Vice-Chair Lewis

05:34:59 **Motion:** Sen. Esp moved **AMENDMENTS #14, #15, #16 AND #51 WHICH WOULD ELIMINATE \$1 MILLION IN GENERAL FUND APPROPRIATION FOR INTEROPERABILITY.**

05:35:00 Vice-Chair Lewis clarified a no vote would fund interoperability and a yes vote would eliminate the funding.

Discussion:

05:34:03 Sen. Cooney

05:36:36 Sen. Esp

05:36:58 **Vote:** Motion failed 8-11 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Esp, Sen. Laible, Sen. Lewis, and Sen. Ripley voting aye. Sen. Bales voted by proxy.

05:38:35 Sen. Esp

05:38:40 Ms. Purdy

05:39:24 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a16)**

Discussion:

05:39:43 Ms. Purdy

05:40:55 **Vote:** Motion carried by voice vote, present and voting, with Sen. Wanzenried voting no. Sen. Ripley voted by proxy.

05:41:10 **Motion:** Sen. Peterson moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a17)**

05:42:19 Sen. Hawks

05:43:03 Vice-Chair Lewis

05:43:10 Ms. Purdy

05:44:10 Sen. Hawks

05:44:30 Sen. Peterson

05:44:35 Ms. Joehler

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05:45:41 Vice-Chair Lewis
05:45:43 Sen. Peterson
05:45:56 Ms. Joehler
05:46:03 Sen. Hawks
05:46:35 Sen. Peterson
05:47:08 Sen. Schmidt
05:47:36 Ms. Joehler
05:48:19 Sen. Schmidt
05:48:36 Ms. Joehler
05:49:06 Sen. Schmidt
05:49:18 Ms. Joehler
05:49:31 Sen. Brenden
05:50:14 Vice-Chair Lewis
05:50:21 Sen. Hawks
05:51:41 Sen. Peterson

Sen. Gallus and Sen. Tropila not present

05:52:26 **Vote:** Motion carried 15-4 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Schmidt, and Sen. Tropila voting no. Sen. Gallus and Sen. Tropila voted by proxy.

05:53:34 Chairman Bales

05:53:41 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a18)**

Discussion:

05:55:51 Sen. Barkus
05:56:39 Chairman Bales
05:57:20 Sen. Brueggeman
05:58:38 Chairman Bales
05:59:26 Sen. Esp
05:59:43 Chairman Bales

Sen. Peterson and Sen. Williams not present

05:59:50 **Vote:** Motion carried by voice vote, present and voting with Sen. Bales voting no. Sen. Gallus voted by proxy.

06:00:42 **Motion:** Sen. Lewis moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a19)**

Discussion:

06:01:49 Chairman Bales
06:01:55 Sen. Lewis

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06:04:25 Sen. Tropila

06:04:53 Sen. Lewis

Sen. Esp not present

06:05:07 **Vote:** Motion carried by voice vote, present and voting.
Sen. Gallus voted by proxy.

Global and Technical Amendments

06:05:26 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a20)

Discussion:

06:09:33 Chairman Bales

06:09:42 Sen. Brueggeman

06:10:08 Chairman Bales

06:10:17 Sen. Lewis

06:11:10 Sen. Esp

06:11:31 Barbara Smith, LFD

06:11:52 Sen. Ripley

06:12:10 Ms. Smith

06:12:17 Sen. Brueggeman

Sen. Gallus, Sen. Hawks and Sen. Zinke not present

06:12:43 **Vote:** Motion carried by voice vote, present and voting.
Sen. Gallus voted by proxy.

06:13:01 Sen. Laible

06:13:05 Chairman Bales

06:13:11 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a21)

Discussion:

06:13:14 Sen. Esp

06:14:42 **Vote:** Motion carried by voice vote, present and voting,
with Sen. Ripley voting no. Sen. Gallus and Sen. Ripley
voted by proxy.

06:15:02 Sen. Zinke

06:15:17 Chairman Bales

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06:15:19 **Motion:** Sen. Zinke moved a conceptual amendment to insure under OCHE that there is Virtual Academy funding at 2.0 million and Distance Learning at 2.0 million as separate line items.

Discussion:

06:16:06 Ms. Purdy
06:16:31 Sen. Zinke
06:16:44 Ms. Purdy
06:16:52 Ms. Wilkinson
06:17:07 Chairman Bales
06:17:16 Ms. Purdy
06:17:23 Chairman Bales
06:17:29 Ms. Purdy
06:17:32 Sen. Laible
06:17:51 Sen. Zinke
06:18:17 Sen. Laible
06:18:17 Chairman Bales

Sen. Esp, Sen. Gallus and Sen. Lewis not present

06:18:21 **Vote:** Motion carried by voice vote, present and voting.

06:18:35 Sen. Laible

Section A - General Government

06:19:24 **Motion:** Sen. Laible moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a22)

Discussion:

06:19:43 Sen. Laible

06:20:14 **Vote:** Motion carried by voice vote, present and voting.
Sen. Gallus voted by proxy.

06:20:32 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a23)

Discussion:

06:20:35 Sen. Esp
06:21:28 Chairman Bales
06:21:34 Sen. Schmidt
06:21:43 Sen. Esp
06:21:48 Sen. Schmidt
06:22:06 Sen. Laible

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06:22:53 Sen. Hawks
06:23:48 Sen. Zinke
06:24:10 Sen. Hawks
06:24:26 Sen. Esp
06:24:53 Sen. Lewis
06:25:04 Sen. Esp
06:25:39 Sen. Brenden
06:25:55 Sen. Esp

06:26:01 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Lewis, Sen. Peterson, Sen. Ripley, and Sen. Zinke voting no. Sen. Gallus voted by proxy.

06:28:15 Sen. Peterson
06:28:43 Chairman Bales

06:29:09 **Motion:** Sen. Peterson moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a24)**

Discussion:

06:29:45 Sen. Schmidt
06:29:51 Sen. Hansen
06:30:30 Sen. Schmidt
06:30:35 Sen. Hansen
06:31:01 Sen. Laible
06:31:16 Sen. Hansen
06:31:41 Sen. Laible
06:31:46 Sen. Zinke
06:32:19 Sen. Tropila
06:32:29 Chairman Bales

06:32:36 **Vote:** motion carried by voice vote, present and voting. Sen. Gallus voted by proxy.

06:32:49 **Motion:** Sen. Tropila moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a25)**

Discussion:

06:34:28 Sen. Tropila
06:35:39 Chairman Bales
06:35:43 Sen. Zinke
06:35:47 Sen. Tropila
06:36:19 Sen. Laible

SENATE COMMITTEE ON FINANCE AND CLAIMS

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06:37:53 **Vote:** Motion carried 12-7 by roll call vote with Sen. Bales, Sen. Barrett, Sen. Brenden, Sen. Esp, Sen. Laible, Sen. Lewis and Sen. Peterson voting no. Sen. Gallus voted by proxy.

06:37:58 **Motion:** Sen. Zinke moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a26)

Discussion:

06:38:58 Sen. Zinke
06:39:57 Sen. Laible
06:40:27 Sen. Zinke
06:40:28 Chairman Bales
06:40:32 Ms. Purdy
06:40:40 Sen. Williams
06:41:02 Sen. Zinke
06:42:19 Sen. Williams
06:42:46 Sen. Zinke
06:43:28 Sen. Lewis
06:44:26 Sen. Zinke withdrew his motion.
06:45:03 Chairman Bales

06:45:35 **Motion/Vote:** Sen. Peterson moved **TO CLOSE SECTION A.**
Motion carried 17-1 by voice vote with Sen. Wanzenried voting no.

Section B - Health and Human Services:

06:46:03 **Motion:** Sen. Lewis moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a27)

Discussion:

06:47:39 Sen. Lewis
06:48:14 Sen. Brenden
06:48:24 Chairman Bales
06:48:31 Sen. Lewis

06:48:38 **Vote:** Motion carried unanimously by voice vote. Sen. Gallus voted by proxy.

06:48:49 **Motion:** Sen. Wanzenried moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a28)

Discussion:

06:49:26 Lois Steinbeck, LFD
06:50:22 Sen. Esp

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06:50:37 Ms. Steinbeck
06:50:44 Sen. Esp
06:50:59 Ms. Steinbeck
06:51:55 Sen. Esp
06:51:57 Sen. Lewis
06:52:42 Ms. Steinbeck
06:53:04 Chairman Bales

06:53:09 Sen. Lewis
06:53:50 Sen. Wanzenried

06:53:57 **Vote:** Motion failed 6-13 by roll call vote with Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting aye. Sen. Gallus voted by proxy.

06:55:46 **Motion:** Sen. Wanzenried moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a29)**

Discussion:

06:56:39 Sen. Esp
06:57:07 Sen. Wanzenried

06:57:13 Marilyn Daumiller, LFD
06:59:15 Sen. Esp

06:59:31 **Vote:** Motion carried unanimously by voice vote. Sen. Gallus voted by proxy.

06:59:40 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a30)**

Discussion:

07:00:25 Sen. Brueggeman
07:02:53 Chairman Bales
07:03:00 Sen. Esp
07:03:56 Sen. Lewis
07:04:33 Sen. Brenden
07:06:15 Vice Chair Lewis
07:06:22 Sen. Brueggeman
07:08:20 Sen. Lewis

07:08:27 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Esp, Sen. Laible, Sen. Lewis, and Sen. Peterson voting no. Sen. Gallus and Sen. Wanzenried voted by proxy.

Sen. Wanzenried now present

07:10:02 **Motion/Vote:** Sen. Lewis moved **TO CLOSE SECTION B.**
Motion carried, present and voting with Sen. Wanzenried
voting no.

Section C - Natural Resources and Transportation:

07:10:22 Sen. Tropila

07:10:51 Chairman Bales

07:10:57 Recess 6:32

07:18:25 Reconvene 7:41 pm

Sen. Gallus not present

07:19:23 Chairman Bales

07:19:46 **Motion/Vote:** Sen. Lewis moved **CLOSE SECTION C.** Motion
carried, present and voting, with Sen. Wanzenried
voting no.

07:20:20 **Motion/Vote:** Sen. Lewis moved **TO CLOSE SECTION D.**
Motion carried unanimously by voice vote, present and
voting.

Section E - Education

07:20:43 **Motion:** Sen. Hawks moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a31)

Discussion:

07:20:45 Sen. Hawks

07:21:59 **Vote:** Motion carried unanimously by voice vote,
present and voting. Sen. Gallus voted by proxy.

07:22:03 **Motion:** Sen. Hawks moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a32)

Discussion:

07:22:19 Sen. Hawks

07:23:22 Chairman Bales

07:23:25 Sen. Esp

07:23:38 Sen. Hawks

SENATE COMMITTEE ON FINANCE AND CLAIMS

April 8, 2009

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07:23:56 **Vote:** Motion carried unanimously by voice vote,
present and voting. Sen. Gallus voted by proxy.

07:24:02 **Motion:** Sen. Hansen moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a33)

Discussion:

07:24:57 Chairman Bales

07:25:10 Sen. Hansen withdrew his motion

07:25:33 Sen. Laible

07:26:24 **Motion:** Sen. Laible moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a34)

07:28:16 Chairman Bales

07:28:17 Sen. Hawks

07:28:58 Sen. Esp

07:29:41 Sen. Laible

07:30:25 Sen. Esp

07:30:44 Sen. Laible withdrew his motion

07:31:01 Sen. Schmidt

07:31:10 Sen. Hawks

07:31:52 **Motion:** Sen. Barkus moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a35)

Discussion:

07:32:08 Sen. Barkus

07:32:59 Sen. Schmidt

07:33:04 Sen. Barkus

07:33:21 Sen. Esp

07:33:53 Chairman Bales

07:33:57 Ms. Purdy

07:34:10 Sen. Barkus

07:34:16 Sen. Tropila

07:34:37 Chairman Bales

07:34:43 **Vote:** Motion carried unanimously by voice vote,
present and voting.

07:34:56 **Motion:** Sen. Barkus moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a36)

SENATE COMMITTEE ON FINANCE AND CLAIMS

April 8, 2009

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Discussion:

07:35:04 Sen. Barkus
07:36:19 Sen. Hawks
07:38:18 Chairman Bales
07:38:22 Sen. Williams
07:39:18 Sen. Ripley
07:40:04 Sen. Barkus
07:40:50 Chairman Bales
07:41:42 Ms. Joehler
07:44:27 Chairman Bales
07:44:42 Ms. Joehler
07:44:57 Sen. Laible

Sen. Zinke not present

07:45:40 Ms. Joehler
07:45:47 Sen. Hawks
07:46:48 Ms. Joehler
07:47:44 Chairman Bales
07:48:35 Sen. Barkus

07:49:20 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Brenden, Sen. Esp, Sen. Hansen, Sen. Hawks, Sen. Lewis, Sen. Peterson, and Sen. Zinke voting no. Sen. Gallus and Sen. Zinke voted by proxy.

07:50:42 Sen. Cooney
07:51:28 Ms. Wilkinson

07:52:00 **Motion:** Sen. Hawks moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a37)

Discussion:

07:52:02 Sen. Hawks
07:54:13 Sen. Ripley
07:54:45 Ms. Wilkinson
07:55:35 Chairman Bales
07:56:03 Sen. Esp
07:56:14 Sen. Ripley
07:56:25 Sen. Esp
07:56:53 Chairman Bales
07:56:57 Sen. Lewis
07:57:30 Madalyn Quinlan, Office of Public Instruction (OPI)
07:58:31 Sen. Hawks

Sen. Brueggeman and Sen. Gallus not present

SENATE COMMITTEE ON FINANCE AND CLAIMS

April 8, 2009

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07:59:16 **Vote:** Motion carried by voice vote, present and voting. Sen. Gallus voted by proxy.

07:59:30 **Motion/Vote:** Sen. Lewis moved **SECTION E BE CLOSED.**
Motion carried by voice vote, present and voting, with Sen. Wanzenried voting no.

Section F:

08:01:10 Chairman Bales
EXHIBIT(fcs77a38)

08:01:40 Ms. Duncan, LFD

08:03:43 Chairman Bales

08:03:47 Ms. Duncan

08:04:50 Sen. Esp

08:04:59 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a39)

Discussion:

08:05:46 Sen. Esp

08:06:23 Sen. Brueggeman withdrew his motion.

08:07:16 Chairman Bales

08:07:38 **Motion/Vote:** Sen. Lewis moved **TO CLOSE SECTION F.**
Motion carried by voice vote, present and voting, with Sen. Wanzenried voting no.

08:07:55 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

Discussion:

08:08:06 Sen. Esp

08:08:26 Sen. Williams

08:10:34 Sen. Wanzenried

08:13:10 Chairman Bales

08:13:20 Sen. Esp

08:14:03 Chairman Bales

08:14:05 **Vote:** Motion carried 11-8 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting no. Sen. Gallus and Sen. Zinke voted by proxy.

MONTANA STATE SENATE
Roll Call
FINANCE AND CLAIMS COMMITTEE

DATE: June 2, 2009

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR KEITH BALES, CHAIRMAN	✓	
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓	
SENATOR GREGORY BARKUS	✓	
SENATOR DEBBY BARRETT	✓	
SENATOR JOHN BRENDEN	✓	
SENATOR JOHN BRUEGGEMAN	✓	
SENATOR MIKE COONEY	✓	
SENATOR JOHN ESP	✓	
SENATOR STEVE GALLUS	✓	
SENATOR KEN HANSEN	✓	
SENATOR BOB HAWKS	✓	
SENATOR RICK LAIBLE	✓	
SENATOR JIM PETERSON	✓	
SENATOR RICK RIPLEY	✓	
SENATOR TRUDI SCHMIDT	✓	
SENATOR MITCH TROPILA	✓	
SENATOR DAVID WANZENRIED	✓	
SENATOR CAROL WILLIAMS	✓	
SENATOR RYAN ZINKE	✓	

JUL 01 2009
12:05

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

DATE 9-8-09 BILL NO HR 245 MOTION NO. 12-7
MOTION: HR 245 BE RECALLED 6:30 PM EXH 15
43 # 44 # 45 # 46 # 47 # 48 # 49 # 50 # 51 # 52 # 53 # 54 # 55 # 56 # 57 # 58 # 59 # 60 # 61 # 62 # 63 # 64 # 65 # 66 # 67 # 68 # 69 # 70 # 71 # 72 # 73 # 74 # 75 # 76 # 77 # 78 # 79 # 80 # 81 # 82 # 83 # 84 # 85 # 86 # 87 # 88 # 89 # 90 # 91 # 92 # 93 # 94 # 95 # 96 # 97 # 98 # 99 # 100

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS	☒	☐	
SENATOR DEBBY BARRETT	☒	☐	
SENATOR JOHN BRENDEN	☒	☐	
SENATOR JOHN BRUEGGEMAN	☒	☐	
SENATOR MIKE COONEY	☐	☒	
SENATOR JOHN ESP	☒	☐	
SENATOR STEVE GALLUS	☐	☒	
SENATOR KEN HANSEN	☒	☐	
SENATOR BOB HAWKS	☐	☒	
SENATOR RICK LAIBLE	☒	☐	
SENATOR JIM PETERSON	☒	☐	
SENATOR RICK RIPLEY	☒	☐	
SENATOR TRUDI SCHMIDT	☐	☒	
SENATOR MITCH TROPILA	☐	☒	
SENATOR DAVID WANZENRIED	☐	☒	
SENATOR CAROL WILLIAMS	☐	☒	
SENATOR RYAN ZINKE	☒	☐	
SENATOR DAVE LEWIS, VICE CHAIRMAN	☒	☐	
SENATOR KEITH BALES, CHAIRMAN	☒	☐	☒

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

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DATE 4-5-14 BILL NO. HB 646 MOTION NO. 10-1

MOTION: amendment to HB 646 at p. (Ex. 15)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR JOHN BRENDEN	✓		
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY		✓	
SENATOR JOHN ESP	✓		
SENATOR STEVE GALLUS		✓	
SENATOR KEN HANSEN		✓	
SENATOR BOB HAWKS		✓	
SENATOR RICK LAIBLE	✓		
SENATOR JIM PETERSON	✓		
SENATOR RICK RIPLEY	✓		
SENATOR TRUDI SCHMIDT		✓	
SENATOR MITCH TROPILA		✓	
SENATOR DAVID WANZENRIED		✓	
SENATOR CAROL WILLIAMS		✓	✓
SENATOR RYAN ZINKE		✓	
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓		
SENATOR KEITH BALES, CHAIRMAN	✓		✓

TOP SECRET

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS			
SENATOR DEBBY BARRETT			
SENATOR JOHN BRENDEN			
SENATOR JOHN BRUEGGEMAN			
SENATOR MIKE COONEY			
SENATOR JOHN ESP			
SENATOR STEVE GALLUS			
SENATOR KEN HANSEN			
SENATOR BOB HAWKS			
SENATOR RICK LAIBLE			
SENATOR JIM PETERSON			
SENATOR RICK RIPLEY			
SENATOR TRUDI SCHMIDT			
SENATOR MITCH TROPILA			
SENATOR DAVID WANZENRIED			
SENATOR CAROL WILLIAMS			
SENATOR RYAN ZINKE			
SENATOR DAVE LEWIS, VICE CHAIRMAN			
SENATOR KEITH BALES, CHAIRMAN			

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

NOT COPY
 FINANCE

DATE 4-27-09 BILL NO. HB 111 MOTION NO. 15-4

MOTION: HB 111 BE RECALLED ON HB 111 33-2-15 (EXH. 17)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS	✓		
SENATOR DEBBY BARRETT	✓		
SENATOR JOHN BRENDEN	✓		
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY		✓	
SENATOR JOHN ESP	✓		
SENATOR STEVE GALLUS		✓	✓
SENATOR KEN HANSEN	✓		
SENATOR BOB HAWKS	✓		
SENATOR RICK LAIBLE	✓		
SENATOR JIM PETERSON	✓		
SENATOR RICK RIPLEY	✓		
SENATOR TRUDI SCHMIDT		✓	
SENATOR MITCH TROPILA		✓	✓
SENATOR DAVID WANZENRIED	✓		
SENATOR CAROL WILLIAMS	✓		
SENATOR RYAN ZINKE	✓		
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓		
SENATOR KEITH BALES, CHAIRMAN	✓		

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

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11-8

DATE 4-8-09 BILL NO. HB 145 MOTION NO. _____
 MOTION: HB 145 BE AMENDED 4-5 SS. 211) (EXH. 23)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS		✓	
SENATOR DEBBY BARRETT		✓	
SENATOR JOHN BRENDEN		✓	
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY	✓		
SENATOR JOHN ESP	✓		
SENATOR STEVE GALLUS	✓		✓
SENATOR KEN HANSEN	✓		
SENATOR BOB HAWKS	✓		
SENATOR RICK LAIBLE	✓		
SENATOR JIM PETERSON		✓	
SENATOR RICK RIPLEY		✓	
SENATOR TRUDI SCHMIDT	✓		
SENATOR MITCH TROPILA	✓		
SENATOR DAVID WANZENRIED	✓		
SENATOR CAROL WILLIAMS	✓		
SENATOR RYAN ZINKE		✓	
SENATOR DAVE LEWIS, VICE CHAIRMAN		✓	
SENATOR KEITH BALES, CHAIRMAN		✓	

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

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DATE 12-5-09 BILL NO. HB 145 MOTION NO. 12-7

MOTION: HB 145 PASSED 64-35 (EX. 25)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS	✓		
SENATOR DEBBY BARRETT		✓	
SENATOR JOHN BRENDEN		✓	
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY	✓		
SENATOR JOHN ESP		✓	
SENATOR STEVE GALLUS	✓		✓
SENATOR KEN HANSEN	✓		
SENATOR BOB HAWKS	✓		
SENATOR RICK LAIBLE		✓	
SENATOR JIM PETERSON		✓	
SENATOR RICK RIPLEY	✓		
SENATOR TRUDI SCHMIDT	✓		
SENATOR MITCH TROPILA	✓		
SENATOR DAVID WANZENRIED	✓		
SENATOR CAROL WILLIAMS	✓		
SENATOR RYAN ZINKE	✓		
SENATOR DAVE LEWIS, VICE CHAIRMAN		✓	
SENATOR KEITH BALES, CHAIRMAN		✓	

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

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DATE 4-2-09 BILL NO HB 145 MOTION NO. 6-13
 MOTION: HB 145 BE AMENDED HB 145 (SB 4-25)
27.00.10

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS		✓	
SENATOR DEBBY BARRETT		✓	
SENATOR JOHN BRENDEN		✓	
SENATOR JOHN BRUEGGEMAN		✓	
SENATOR MIKE COONEY	✓	✓	
SENATOR JOHN ESP.		✓	
SENATOR STEVE GALLUS	✓		✓
SENATOR KEN HANSEN	✓		
SENATOR BOB HAWKS	✓		
SENATOR RICK LAIBLE		✓	
SENATOR JIM PETERSON		✓	
SENATOR RICK RIPLEY		✓	
SENATOR TRUDI SCHMIDT	✓	✓	
SENATOR MITCH TROPILA	✓		
SENATOR DAVID WANZENRIED	✓		
SENATOR CAROL WILLIAMS	✓		
SENATOR RYAN ZINKE		✓	
SENATOR DAVE LEWIS, VICE CHAIRMAN		✓	
SENATOR KEITH BALES, CHAIRMAN		✓	

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

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DATE 8-2-09 BILL NO. HB 107 MOTION NO. 11-8
 MOTION: HB 107 AS AMENDED 41-21-015 (SENATE)

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS		☒	
SENATOR DEBBY BARRETT		☒	
SENATOR JOHN BRENDEN		☒	
SENATOR JOHN BRUEGGEMAN	☒		
SENATOR MIKE COONEY	☒		
SENATOR JOHN ESP		☒	
SENATOR STEVE GALLUS	☒		☒
SENATOR KEN HANSEN	☒		
SENATOR BOB HAWKS	☒		
SENATOR RICK LAIBLE		☒	
SENATOR JIM PETERSON		☒	
SENATOR RICK RIPLEY	☒		
SENATOR TRUDI SCHMIDT	☒		
SENATOR MITCH TROPILA	☒		
SENATOR DAVID WANZENRIED	☒		☒
SENATOR CAROL WILLIAMS	☒		
SENATOR RYAN ZINKE	☒		
SENATOR DAVE LEWIS, VICE CHAIRMAN		☒	
SENATOR KEITH BALES, CHAIRMAN		☒	

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MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

DATE 4-1-09 BILL NO. 200-36 MOTION NO. 11-5
MOTION: Roll Call Vote on H.R. 200-36 (S.B. 36)

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS			
SENATOR DEBBY BARRETT			
SENATOR JOHN BRENDEN			
SENATOR JOHN BRUEGGEMAN			
SENATOR MIKE COONEY			
SENATOR JOHN ESP			
SENATOR STEVE GALLUS			
SENATOR KEN HANSEN			
SENATOR BOB HAWKS			
SENATOR RICK LAIBLE			
SENATOR JIM PETERSON			
SENATOR RICK RIPLEY			
SENATOR TRUDI SCHMIDT			
SENATOR MITCH TROPILA			
SENATOR DAVID WANZENRIED			
SENATOR CAROL WILLIAMS			
SENATOR RYAN ZINKE			
SENATOR DAVE LEWIS, VICE CHAIRMAN			
SENATOR KEITH BALES, CHAIRMAN			

MONTANA STATE SENATE
Roll Call Vote
FINANCE AND CLAIMS COMMITTEE

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DATE 7-1-09 BILL NO. 201-12 MOTION NO. 11-8
 MOTION: 11-64 RESOLUTION A.A. REPEALED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS			
SENATOR DEBBY BARRETT			
SENATOR JOHN BRENDEN			
SENATOR JOHN BRUEGGEMAN			
SENATOR MIKE COONEY			
SENATOR JOHN ESP			
SENATOR STEVE GALLUS			
SENATOR KEN HANSEN			
SENATOR BOB HAWKS			
SENATOR RICK LAIBLE			
SENATOR JIM PETERSON			
SENATOR RICK RIPLEY			
SENATOR TRUDI SCHMIDT			
SENATOR MITCH TROPILA			
SENATOR DAVID WANZENRIED			
SENATOR CAROL WILLIAMS			
SENATOR RYAN ZINKE			
SENATOR DAVE LEWIS, VICE CHAIRMAN			
SENATOR KEITH BALES, CHAIRMAN			

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Small Finance

Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Heidi Schmidt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

✓ AB 258	X	
Amend. HB 645/64533 Abs		X
Amend. HB 645/64510. Agp	X	
Amend. HB 645/64514. Agp	X	
Amend. HB 645/64530. Abs	X	
Amend. 64520. Agp	X	
Amend. 64555. AMS	X	
Amend. 64558. AMS	X	
Amend. 64553. Abs	X	
Amend. 64552. Abs	X	
Amend. 64512. Abs		
Amend. 64528. ALS	X	
Amend. 64529. ALS	X	
Amend. 64512. AMD	X	

HB 64530. ALS	X	
HB 64510. AKW	X	
HB 64511. AKW	X	
HB 64512. Agp		
HB 64502. Agp		
HB 64503. Agp	X	
LB 64522. Agp	X	
HB 64504. Abs	X	
HB 64505. Abs		
HB 64505. Abs	X	
HB 64505 amended		X
HB 64505		
HB 15201. ACB		X
HB 152 amended		X

Rep.

Steve Hansen
(Signature)

Date

4/8/09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Senate Finance + Commerce Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Lewis

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

HB 64503.ajw		X
HB 015201.acb	X	
HB 152 amendment	X	
HB 64503.ajw		1
HB 64503.ajw	X	

BILL/AMENDMENT AYE NO

Sen. [Signature]
(Signature) [Signature]

Date 4-8-09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Finance (Comp) Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Cooney

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
64576. ATP (1.25)		✓			
64505. atp					
1st Segregation		✓			
64505. ATP					
2nd Segregation		✓			
64501. atp #430 #44		✓			

Sen. Carol Williams
(Signature)

Date 4/8/09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from FINANCE Comm Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Currence

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
64516. ACP (1.25)		✓

BILL/AMENDMENT	AYE	NO

sen. Frank Schmidt
(Signature)

Date 4/8/09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Finance & Commerce Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Lerner

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

sub. 1 on 104516.99	X	

BILL/AMENDMENT

AYE

NO

Sen. _____
(Signature) BRUGGEMAN

Date 4-8-09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from FINANCE Committee
because of other commitments. I desire to leave my proxy vote with:

Sen Schmitt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

HB 645 / 4533 ADs		X
HB 645 16, 45 ADs		X

BILL/AMENDMENT

AYE

NO

Sen.

M. T. [Signature]

(Signature)

Date

4/8/09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Senate Finance & Commerce Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Lewis

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE

NO

HB 645 16.9 SP	X	
HB 645 20.9 SP		

BILL/AMENDMENT

AYE

NO

Sen.

Rich Ripley
(Signature)

Ripley

Date

4-8-09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Finance Committee
because of other commitments. I desire to leave my proxy vote with:

Sen. Craig Schmidt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

HB 258	X	
HB 5 #6060-526 Add		
104531. ALS	X	

BILL/AMENDMENT AYE NO

HB 064531. ALS	X	

24510
sen. CHANCELLER
(Signature)

Date 4/8/09

Exhibit No. 11Date 4.8.09Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator John Esp

For the Senate Finance and Claims Committee

Prepared by Greg Petesch
April 8, 2009 (8:38am)

1. Title, line 10.

Following: "CYCLE;"**Insert:** "CLARIFYING THE PAYMENT OF SCHOOL DISTRICT EMPLOYEE
RETIREMENT COSTS FOR THE ENSUING BIENNIUM;"

2. Title, line 17.

Following: "17-7-502,"**Insert:** "20-9-501,"

3. Page 6, line 17.

Strike: "51"**Insert:** "52"

4. Page 7, line 14.

Strike: "51"**Insert:** "52"

5. Page 12, line 11.

Strike: "23"**Insert:** "24"

6. Page 13, line 6.

Insert: "**Section 8.** Section 20-9-501, MCA, is amended to read:

"20-9-501. Retirement costs and retirement fund. (1) The trustees of a district or the management board of a cooperative employing personnel who are members of the teachers' retirement system or the public employees' retirement system, who are covered by unemployment insurance, or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the employer's contributions to the systems as provided in subsection (2)(a). The district's or the cooperative's contribution for each employee who is a member of the teachers' retirement system must be calculated in accordance with Title 19, chapter 20, part 6. The district's or the cooperative's contribution for each employee who is a member of the public employees' retirement system must be calculated in accordance with 19-3-316. The district's or the cooperative's contributions for each employee covered by any federal social security system must be paid in accordance with federal law and

regulation. The district's or the cooperative's contribution for each employee who is covered by unemployment insurance must be paid in accordance with Title 39, chapter 51, part 11.

(2) (a) The district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the retirement fund for the following:

(i) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from state or local funding sources;

(ii) a cooperative employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the cooperative's interlocal cooperative fund if the fund is supported solely from districts' general funds and state special education allowable cost payments, pursuant to 20-9-321, or are paid from the miscellaneous programs fund, provided for in 20-9-507, from money received from the medicaid program, pursuant to 53-6-101;

(iii) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the district's school food services fund provided for in 20-10-204; and

(iv) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the district impact aid fund, pursuant to 20-9-514; and

(v) for the 2011 biennium only, a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are budgeted in the district general fund but are paid from state fiscal stabilization funds received pursuant the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(b) For an employee whose benefits are not paid from the retirement fund, the district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the funding source that pays the employee's salary.

(3) The trustees of a district required to make a contribution to a system referred to in subsection (1) shall include in the retirement fund of the final budget the estimated amount of the employer's contribution. After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to the systems in accordance with the financial administration provisions of this title.

(4) When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:

(a) determining the sum of the money available to reduce the retirement fund levy requirement by adding:

(i) any anticipated money that may be realized in the

retirement fund during the ensuing school fiscal year;

(ii) oil and natural gas production taxes;

(iii) coal gross proceeds taxes under 15-23-703;

(iv) countywide school retirement block grants distributed under 20-9-631;

(v) any fund balance available for reappropriation as determined by subtracting the amount of the end-of-the-year fund balance earmarked as the retirement fund operating reserve for the ensuing school fiscal year by the trustees from the end-of-the-year fund balance in the retirement fund. The retirement fund operating reserve may not be more than 35% of the final retirement fund budget for the ensuing school fiscal year and must be used for the purpose of paying retirement fund warrants issued by the district under the final retirement fund budget.

(vi) any other revenue anticipated that may be realized in the retirement fund during the ensuing school fiscal year, excluding any guaranteed tax base aid.

(b) notwithstanding the provisions of subsection (9), subtracting the money available for reduction of the levy requirement, as determined in subsection (4)(a), from the budgeted amount for expenditures in the final retirement fund budget.

(5) The county superintendent shall:

(a) total the net retirement fund levy requirements separately for all elementary school districts, all high school districts, and all community college districts of the county, including any prorated joint district or special education cooperative agreement levy requirements; and

(b) report each levy requirement to the county commissioners on the fourth Monday of August as the respective county levy requirements for elementary district, high school district, and community college district retirement funds.

(6) The county commissioners shall fix and set the county levy or district levy in accordance with 20-9-142.

(7) The net retirement fund levy requirement for a joint elementary district or a joint high school district must be prorated to each county in which a part of the district is located in the same proportion as the district ANB of the joint district is distributed by pupil residence in each county. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county as provided in 20-9-151.

(8) The net retirement fund levy requirement for districts that are members of special education cooperative agreements must be prorated to each county in which the district is located in the same proportion as the special education cooperative budget is prorated to the member school districts. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county in the

same manner as provided in 20-9-151, and the county commissioners shall fix and levy the net retirement fund levy for each county in the same manner as provided in 20-9-152.

(9) The county superintendent shall calculate the number of mills to be levied on the taxable property in the county to finance the retirement fund net levy requirement by dividing the amount determined in subsection (5) (a) by the sum of:

(a) the amount of guaranteed tax base aid that the county will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the taxable valuation of the district divided by 1,000.

(10) The levy for a community college district may be applied only to property within the district.

(11) The county superintendent of each county shall submit a report of the revenue amounts used to establish the levy requirements for county school funds supporting elementary and high school district retirement obligations to the superintendent of public instruction not later than the second Monday in September. The report must be completed on forms supplied by the superintendent of public instruction."

{Internal References to 20-9-501:

17-3-213 x 19-20-605x 20-3-209x 20-6-702x }"

Renumber: subsequent sections

7. Page 33, line 5.

Strike: "51"

Insert: "52"

8. Page 36, line 14.

Strike: "51"

Insert: "52"

9. Page 43, line 15.

Strike: "51"

Insert: "52"

10. Page 43, line 18.

Strike: "51"

Insert: "52"

11. Page 48, line 8.

Following: "void"

Insert: ";

(e) to the office of public instruction for BASE aid, then the general fund appropriation is reduced by \$12,763,569 in FY 2010 and \$13,216,482 in FY 2011; and

(f) to office of the commissioner of higher education for appropriation distribution transfers, then the general fund appropriation is reduced by \$31,605,482 in FY 2010 and \$31,605,482 in FY 2011"

12. Page 48, line 11.

Strike: "51"

Insert: "52"

13. Page 49, line 13.

Strike: "51"

Insert: "52"

14. Page 50, line 9.

Strike: "51"

Insert: "52"

15. Page 50, line 20.

Strike: "51"

Insert: "52"

16. Page 51, line 6.

Strike: "51"

Insert: "52"

17. Page 51, line 13.

Strike: "51"

Insert: "52"

18. Page 51, line 15.

Strike: "10"

Insert: "11"

Strike: "11"

Insert: "12"

19. Page 51, line 16.

Strike: "10"

Insert: "11"

Strike: "11"

Insert: "12"

20. Page 51, line 17.

Strike: "14"

Insert: "15"

21. Page 51, line 18.

Strike: "14"

Insert: "15"

22. Page 51, line 19.

Strike: "23"

Insert: "24"

23. Page 51, line 20.

Strike: "23"
Insert: "24"

24. Page 51, line 21.
Strike: "25 AND 26"
Insert: "26 and 27"

25. Page 52, line 1.
Strike: "25 AND 26"
Insert: "26 and 27"

26. Page 52, line 10.
Strike: "16 AND 18"
Insert: "17 and 19"

27. Page 52, line 13.
Following: "8,"
Strike: "12, 13, 15 THROUGH 22, AND 27 THROUGH 29"
Insert: "9, 13, 14, 16 through 23, and 28 through 30"

28. Page 52, line 16.
Strike: "51"
Insert: "52"

29. Page A-2, line 16.
Strike: "798,496 798,496" [federal special fund FY10 and FY11]
Insert: "798,496 798,496" [general fund FY10 and FY11]

30. Page B-4, line 6.
Strike: "1,000,000 1,000,000" [federal special fund FY10 and FY11]
Insert: "1,000,000 1,000,000" [general fund FY10 and FY11]

31. Page E-2.
Following: line 12
Insert: "j. Stabilization Funding for K-12 Education
 12,763,509 13,216,482" [federal special fund FY10 and FY11]
 "k. Increase State Support for Schools With Education
Stabilization Funds
 10,724,262 21,713,034" [federal special fund FY10 and FY11]

32. Page E-3.

Following: line 3

Insert: "For the 2011 biennium, the first source of funding of the school district guaranteed tax base aid and direct state aid is the federal appropriation for Stabilization Funding for K-12 Education."

33. Page E-4, line 4.

Strike: "1,000,000 1,000,000" [federal special fund FY10 and FY11]

Insert: "1,000,000 1,000,000" [general fund FY10 and FY11]

34. Page E-4, line 6.

Following: "Assistance"

Insert: " - Restore to Governor's December 15 Budget"

35. Page E-4, line 7.

Strike: "606,189 671,586" [federal special fund FY10 and FY11]

36. Page E-4, line 8.

Strike: "700,000 700,000" [general fund FY10 and FY11]

Insert: "606,189 671,586" [general fund FY10 and FY11]

37. Page E-4.

Following: line 8

Insert: "b. Community College Assistance

137,944 113,299" [general fund FY10 and FY11]

"562,056 586,701" [federal special fund FY10 and FY11]

Renumber: subsequent subsections

38. Page E-4, line 10.

Strike: "776,851 824,024" [general fund FY10 and FY11]

Insert: "776,851 824,024" [federal special fund FY10 and FY11]

39. Page E-4, line 12.

Following: "Resident Students"

Insert: "Funded With Education General Funds"

40. Page E-4, line 13.

Strike: "5,000,000 5,000,000" [federal special fund FY10 and FY11]

Insert: "3,154,033 2,506,230" [general fund FY10 and FY11]

41. Page E-4, line 15.

Strike: "44,076,457 45,074,019" [federal special fund FY10 and FY11]

Insert: "31,605,482 31,605,482" [federal special fund FY10 and FY11]

42. Page E-4, line 16.

Following: "Resident Students"

Insert: "Funded With General Government State Fiscal Stabilization Funds"

43. Page E-5, line 1.

Strike: "4,103,549 4,103,549" [general fund FY10 and FY11]

Insert: "5,966,490 6,580,345" [federal special fund FY10 and FY11]

44. Page E-5.

Following: line 7

Insert: "g. Replace 6-Mill Levy Revenue Shortfall With Federal General Stabilization Funds

1,447,296 1,046,625" [federal special fund FY10 and FY11]

45. Page E-5, line 10.

Strike: "450,000 450,000" [federal special fund FY10 and FY11]

Insert: "450,000 450,000" [general fund FY10 and FY11]

46. Page E-6.

Strike: line 11 through line 12 in their entirety

47. Page E-6.

Following: line 12

Insert: "For OCHE-Appropriation Distribution Transfers, the House Bill No. 2 base state special revenue fund appropriations for transfers are reduced by \$1,447,296 in FY 2010 and \$1,046,625 in FY 2011."

48. Page E-6.

Following: line 15

Insert: "Any local education agency or institution of higher education that receives funding under this program shall ensure that the agency or institution will meet the intentions and legal requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

49. Page F-1, line 4.

Following: "Program"

Insert: "Transfer"

50. Page F-1, line 6.

Strike: "6,744,914 6,744,914" [federal special fund FY10 and FY11]

Insert: "6,744,914 6,744,914" [general fund FY10 and FY11]

51. Page F-1, line 15.

Following: "Improvements"

Insert: "Transfer"

52. Page F-1, line 16.

Strike: "11,000,000 11,000,000" [federal special fund FY10 and FY11]

Insert: "6,150,000 6,150,000" [general fund FY10 and FY11]

Insert: "4,850,000 4,850,000" [federal special fund FY10 and FY11]

53. Page F-2, line 1.

Following: "Hall"

Insert: "Transfer"

54. Page F-2, line 2.

Strike: "3,000,000 3,000,000" [federal special fund FY10 and FY11]

Insert: "3,000,000 3,000,000" [general fund FY10 and FY11]

- END -

Explanation - This amendment implements the OBPP proposal to revise the State Fiscal Stabilization Funding from the American Recovery and Reinvestment Act of 2009.

Comparison of Current and Proposed Funding in HB 645

	Current HB 645			Proposed HB 645			Difference		
	General Fund	Education Stable	Capital Stable	General Fund	Education Stable	Capital Stable	General Fund	Education Stable	Capital Stable
Economic Development									
New Worker Training	-	-	7,994,722	-	-	7,994,722	-	-	-
Tribal Economic Development	-	-	1,596,992	1,596,992	-	-	1,596,992	-	(1,596,992)
Infrastructure - State									
HB 5 replace GF OTO with Stabilization funds	-	-	5,200,000	5,200,000	-	-	5,200,000	-	(5,200,000)
Add projects to HB 5 with Stabilization funds	-	-	8,289,828	8,289,828	-	-	8,289,828	-	(8,289,828)
Unallocated			1,980,000	703,568		1,276,432	703,568	-	(703,568)
Other									
County Health Grants - Asbestos	-	-	2,000,000	2,000,000	-	-	2,000,000	-	(2,000,000)
Education Stabilization									
Additional HB 5 projects for MUS	-	12,300,000	-	12,300,000	-	-	12,300,000	(12,300,000)	-
UM - Western - Main Hall (LRBP)	-	6,000,000	-	6,000,000	-	-	6,000,000	(6,000,000)	-
Distance Learning	-	2,000,000	-	2,000,000	-	-	2,000,000	(2,000,000)	-
Community College Assistance - Dec 15	-	1,277,775	-	1,277,775	-	-	1,277,775	(1,277,775)	-
Tribal College Assistance	-	900,000	-	900,000	-	-	900,000	(900,000)	-
Tuition Mitigation for Resident Students	-	10,000,000	-	5,660,263	-	4,339,737	5,660,263	(10,000,000)	4,339,737
Maintain Support for Higher Education	(89,150,476)	89,150,476	-	(63,210,964)	63,210,964	-	25,939,512	(25,939,512)	-
HB 645 - MUS TUITION MITIGATION/D.L.	8,207,098	-	-	-	-	8,207,098	(8,207,098)	-	8,207,098
HB 645 - CC ASSIST. OTO	1,400,000	-	-	251,243	-	1,148,757	(1,148,757)	-	1,148,757
HB 645 - CC TUITION MITIGATION* split line	1,600,875	-	-	-	-	1,600,875	(1,600,875)	-	1,600,875
LESS 6 MILL SHORTFALL - replaced		-	-		-	2,493,921	-	-	2,493,921
							-	-	-
Maintain Support for K-12 Ed - Base Aid	-	-	-	(25,979,991)	25,979,991	-	(25,979,991)	25,979,991	-
Maintain Support for K-12 Ed-2% Entities	-	-	-	(32,437,296)	32,437,296	-	(32,437,296)	32,437,296	-
TOTALS	(77,942,503)	121,628,251	27,061,542	(75,448,582)	121,628,251	27,061,542	2,493,921	-	-

Exhibit No. 13

Date 4-8-09

Amendments to House Bill No. 645 Bill No. HB 645
3rd Reading Copy

For the Senate Finance and Claims Committee

Prepared by Catherine Duncan
April 8, 2009 (11:13am)

1. Page F-1, line 7.

Following: line 6

Insert: "b. Long-Range Building Program Allocation
638,216 638,216 [FY 2010 & FY 2011 Federal Fund]"

Renumber: subsequent subsections

- END -

Exhibit No. 14Date 3-30-09Amendments to House Bill No. 645 Bill No. 008 4/2
3rd Reading Copy

Requested by Senator John Esp

For the Senate Finance and Claims Committee

Prepared by Greg Petesch
April 8, 2009 (9:32am)

1. Title.

Following: line 15**Insert:** "PROVIDING FOR THE DISTRIBUTION OF FUNDS FOR IMPROVEMENTS
FOR SCHOOL FACILITIES; AUTHORIZING A PERMISSIVE SCHOOL LEVY
FOR THE BASE BUDGET;"

2. Page 12, line 11.

Strike: "23"**Insert:** "24"

3. Page 13.

Following: line 5**Insert:** "NEW SECTION. Section 8. Permissive levy. If an
appropriation for a 3% increase in the basic entitlement and per-
ANB entitlement in each fiscal year is contained in [section 51],
then a school district may impose a permissive levy, calculated
in accordance with 20-9-141, to fund the local share of the BASE
budget."**Renumber:** subsequent sections

4. Page 30, line 19.

Strike: "specifically authorized"**Insert:** "funded"

5. Page 30, line 21.

Strike: "specifically authorized"**Insert:** "funded"

6. Page 31, line 2.

Strike: "specifically authorized"**Insert:** "funded"

7. Page 31, line 4.

Strike: "specifically authorized"**Insert:** "funded"

8. Page 31, line 6.

Strike: "specifically authorized"**Insert:** "funded"

9. Page 31, line 8.

Strike: "specifically authorized"

Insert: "funded"

10. Page 33, line 5 through page 43, line 1.

Strike: sections 27 and 28 in their entirety

Insert: "NEW SECTION. Section 28. Distribution of local government, tribal government, and school funds. (1) Of the \$45 million appropriated to the department of commerce for distribution to local governments, tribal governments, and school districts in [section 51], \$10 million must be allocated to Montana counties, \$10 million must be allocated to Montana cities and towns, and \$5 million must be allocated to tribal governments. The department may retain 0.5% of the amount of the grants to counties, cities, and towns for administrative purposes. The distributions to tribal governments must be made available through the state-tribal economic development commission as provided in 90-1-130 through 90-1-135. The commission shall provide funding for projects that are available for immediate commencement to improve infrastructure or improve energy efficiency. The funds are intended to be allocated to complete priority projects as determined by the appropriate tribal government, but each tribe must be allocated at least \$200,000. The funds appropriated to the department of commerce for local governments must be distributed pursuant to Title 90, chapter 1, part 2. The funds allocated to local governments must be distributed as follows:

(a) each county must receive \$100,000 plus the proportional share of the funds remaining from the \$10 million based upon a blending of the distribution formulas contained in 15-70-101(2)(b) and (3); and

(b) each city and town must receive \$5,000 plus the proportional share of the funds remaining from the \$10 million based upon the distribution formula in 15-70-101(2)(c).

(2) Funds received by a county, city, or town pursuant to subsection (1) may be used for projects approved by the department of commerce for the following purposes:

(a) designing, erecting, repairing, and remodeling public buildings or making energy efficiency improvements to public buildings;

(b) designing, constructing, and repairing sewers, storm sewers, sewage treatment and disposal plants, waterworks, and reservoirs;

(c) designing, constructing, and repairing bridges, docks, wharves, breakwaters, and piers;

(d) designing, constructing, reconstructing, improving, maintaining, and repairing roads;

(e) acquiring, opening, or widening any street and improving the street by designing, constructing, reconstructing, and repairing pavement, gutters, sidewalks, curbs, and vehicle

parking strips;

(f) designing, building, renovating, and equipping parks and other recreation facilities; and

(g) installing street lighting.

(3) The department of commerce shall distribute \$20 million of the appropriation for School Facilities Program Administration and Grants to school districts based upon the formula for distributing the quality educator payment provided for in 20-9-327. A school district shall use the funds received pursuant to this section for deferred maintenance and for making energy efficiency improvements."

Renumber: subsequent sections

11. Page 43, line 15.

Strike: "\$35"

Insert: "\$15"

12. Page 48, line 8.

Following: "void"

Insert: "; (e) to the office of public instruction for funding a 3% increase in the basic entitlement and per-ANB entitlement in each fiscal year, then the general fund appropriation for a 1% increase in the basic entitlement and per-ANB entitlement in each fiscal year in House Bill No. 2 is void"

13. Page 51, line 15.

Strike: "10"

Insert: "11"

Strike: "11"

Insert: "12"

14. Page 51, line 16.

Strike: "10"

Insert: "11"

Strike: "11"

Insert: "12"

15. Page 51, line 17.

Strike: "14"

Insert: "15"

16. Page 51, line 18.

Strike: "14"

Insert: "15"

17. Page 51, line 19.

Strike: "23"

Insert: "24"

18. Page 51, line 20.

Strike: "23"

Insert: "24"

19. Page 51, line 21.

Strike: "25 AND 26"

Insert: "26 and 27"

20. Page 52, line 1.

Strike: "25 AND 26"

Insert: "26 and 27"

21. Page 52, line 10.

Strike: "16"

Insert: "17"

Strike: "18"

Insert: "19"

22. Page 52, line 13.

Following: "8."

Strike: "12," through "29"

Insert: "9, 13, 14, 16 through 23, and 28 through 30"

23. Page A-6, line 15.

Strike: "The"

Insert: "Except as provided in [sections 28 and 29], the"

- END -

Exhibit No. 15Date 4-8-09Amendments to House Bill No. 645
3rd Reading CopyBill No. HB645

For the Senate Finance and Claims Committee

Prepared by Taryn Purdy
April 7, 2009 (2:03pm)

1. Page 6, line 17.

Strike: "51"**Insert:** "50"

2. Page 7, line 14.

Strike: "51"**Insert:** "50"

3. Page 33, line 5.

Strike: "51"**Insert:** "50"

4. Page 36, line 14.

Strike: "51"**Insert:** "50"

5. Page 43, line 15.

Strike: "51"**Insert:** "50"

6. Page 43, line 18.

Strike: "51"**Insert:** "50"

7. Page 45, line 10 through line 14.

Strike: section 37 in its entirety**Renumber:** subsequent sections

8. Page 48, line 3 through line 8.

Following: "void" on line 3**Strike:** remainder of line 3 through "void" on line 8

9. Page 48, line 11.

Strike: "51"**Insert:** "50"

10. Page 48, line 13.

Strike: "(3)"**Insert:** "(4)"

11. Page 48, line 21 through page 49, line 2.

Following: "void" on line 21

Strike: remainder of line 21 through "void" on page 49, line 2

12. Page 49.

Following: line 13

Insert: "(4) If House Bill No. 5 is passed and approved and if [this act] does not contain an appropriation for Access Montana in the department of fish, wildlife, and parks, then the appropriation for that purpose in House Bill No. 5 is void."

13. Page 49, line 13.

Strike: "51"

Insert: "50"

14. Page 49, line 18 through line 19.

Strike: line 18 through line 19 in their entirety

Renumber: subsequent subsections

15. Page 50, line 3.

Following: "CONTAIN"

Insert: ": (a) "

16. Page 50, line 5.

Following: "VOID"

Insert: "; (b) an appropriation of \$1 million for the interoperability project in the department of administration, then the appropriation for that purpose in House Bill No. 10 is void"

17. Page 50, line 9.

Strike: "51"

Insert: "50"

18. Page 50, line 20.

Strike: "51"

Insert: "50"

19. Page 51, line 6.

Strike: "51"

Insert: "50"

20. Page 51, line 13.

Strike: "51"

Insert: "50"

21. Page 52, line 16.

Strike: "51"

Insert: "50"

22. Page A-2, line 13 through line 14.

Strike: line 13 through line 14 in their entirety
Renumber: subsequent subsections

23. Page A-3, line 5 through line 6.
Strike: line 5 through line 6 in their entirety

24. Page A-3, line 9.
Strike: "455,000 455,000" [General fund FY 10 and FY 11]
Insert: "255,000 255,000" [General fund FY 10 and FY 11]

25. Page A-3, line 15 through page A-4, line 4.
Strike: line 15 through line 4 in their entirety
Insert: "b. Distribution to School Districts and Local and Tribal Governments 12,142,500 7,983,000 12,142,500 7,983,000"
[General fund and State special Revenue FY 10 and General fund and state special revenue FY 11]
Insert: "c. Community and Coal Board Grants 6,500,000" [General fund FY 10]

26. Page A-4, line 11.
Strike: "Matching Grants"
Insert: "Mapping"

27. Page A-4, line 12.
Strike: "2,500,871 2,499,129" [General fund FY 10 and FY 11]
Insert: "300,000" [General fund FY 10]

28. Page A-4, line 14.
Strike: "21,497,200" [State special FY 11]
Insert: "16,497,200" [State special FY 11]

29. Page A-4, line 15.
Strike: "13,536,800"
Insert: "8,536,800"

30. Page A-5, line 2 through line 15.
Strike: line 2 through line 15 in their entirety

31. Page A-6, line 4 through line 8.
Strike: line 4 through line 8 in their entirety
Insert: "Community and Coal Board Grants includes \$2,000,000 restricted to the provision of additional community development block grants to be allocated under the existing allocation formula and \$4,500,000 restricted to the provision of grants by the coal board established in 2-15-1821."

32. Page A-6, line 9.
Following: "Broadband"
Strike: "Matching Grants"

Insert: "Mapping"

33. Page A-6, line 9 through line 14.

Following: "statewide" on line 9

Strike: remainder of line 9 through line 14

Insert: "broadband inventory map pursuant to the provisions of Title VI of the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

34. Page A-7, line 12 through page A-8, line 1.

Strike: line 12 through line 1 in their entirety

35. Page A-10.

Following: line 16

Insert: "g. Military Museum and IED - Fort Harrison 1,000,000"
[general fund FY 10]

36. Page A-11.

Following: line 11

Insert: "Military Museum and IED - Fort Harrison consists of \$250,000 for a military museum and \$750,000 for IED training."

37. Page B-3, line 11 through line 12.

Strike: line 11 through line 12 in their entirety

38. Page B-6, line 10.

Strike: "2,000,000 2,000,000" [General fund FY 10 and FY 11]

Insert: "250,000 250,000" [General fund FY 10 and FY 11]

39. Page B-7, line 11.

Strike: line 11 in its entirety

40. Page C-4, line 5 through line 6.

Strike: line 5 through line 6 in their entirety

41. Page D-1, line 5.

Strike: "247,500 247,500" [General fund FY 10 and FY 11]

Insert: "125,000 125,000" [General fund FY 10 and FY 11]

42. Page D-2.

Following: line 15

Insert: "a. Meth Watch
500,000" [General fund FY 10]

Renumber: subsequent subsection

43. Page E-2, line 11 through line 12.

Strike: line 11 through line 12 in their entirety

44. Page E-3, line 1 through line 3.

Strike: line 1 through line 3 in their entirety

45. Page E-4, line 4.

Strike: "0 0" [General fund FY 10 and FY 11]

Insert: "1,000,000 1,000,000" [General fund FY 10 and FY 11]

46. Page E-5, line 5.

Strike: "300,000" [General fund FY 10]

Insert: "2,800,000" [General fund FY 10]

47. Page E-5, line 6 through line 7.

Strike: line 6 through line 7 in their entirety

48. Page E-6, following line 15.

Insert: "Agricultural Experiment Station and Montana Extension Service Additional Funding includes \$500,000 restricted to sawfly research and \$2,000,000 restricted to purchases for infrastructure and equipment for agricultural experiment stations."

49. Page F-2, line 3 through line 5.

Strike: line 2 through line 5 in their entirety

Renumber: subsequent subsection

50. Page F-2, line 13.

Strike: "1,750,000 1,750,000" [General fund FY 10 and FY 11]

Insert: "1,250,000 1,250,000" [General fund FY 10 and FY 11]

51. Page F-2, line 14 through line 16.

Strike: line 14 through line 16 in their entirety

Renumber: subsequent subsections

- END -

Explanation -

Amendment 7 removes the \$4.0 million provider rate appropriation and \$1.0 million appropriation for mental health services from potential reversions. Amendments 37, 38, and 39 eliminate the duplicated appropriation for the provider rate increases and reduce the mental health services appropriation to \$500,000 over the biennium. These adjustments are in the Department of Public Health and Human Services.

Amendment 8 eliminates the language stating that if funds for meth watch in the Department of Justice are included in this bill the appropriation in HB 2 is void. Consequently, that program would receive a total of \$1.0 million, as amendment 42 appropriates an additional \$0.5 million general fund for that purpose.

Amendments 11, 12, and 49 eliminate \$3.0 million general fund for the Access Montana program from this bill and from HB 5.

Amendments 14, 15, 16, and 51 eliminate the \$1.0 million general

fund appropriation for interoperability Montana from this bill and from HB 10 (long-range planning HB 10). Amendments 22 and 31 eliminate about \$8.0 million federal funds for the new worker training program, which leaves about half that amount of general fund in HB 2 in the Department of Commerce. Amendment 30, in part, eliminates funding for the quick start virtual high school in the Department of Commerce.

A number of reductions and consolidations were made. The following were consolidated in the Department of Commerce:
Indian Country Economic Development - \$3.0 million (amendment 23)
Municipal Grants - \$10 million (amendment 25)
County Grants - \$10 million (amendment 25)
The following were eliminated or reduced to provide additional funding for the consolidated grants:
School facilities \$5.0 million reduction SSR per year (amendments 29 and 30)
Virtual high school - \$240,000 reduction general fund (amendment 48)
Energy promotion division - \$400,000 reduction general fund (amendment 24)
Earmarked quickstart projects - \$5.966 million general fund (amendments 30 and 34)
Montana Agro Energy Industrial Park - \$0.4 million general fund (amendments 25 and 31)
Self Help Law Program - \$0.245 million reduction general fund (amendment 41)

The total result of the consolidations and additions provides \$30,251,000 general fund and \$10 million state special revenue for consolidated grants for school districts and local and tribal governments. A separate amendment makes changes in the allocations for the city and county grants.

Amendments 25 and 31 increase community and coal board grants by a total of \$6.5 million general fund.
Amendments 26, 27, 32, and 33 reduce broadband grants from \$5.0 million to \$0.3 million and specify that the money is to be used for mapping.
Amendments 35 and 36 add a total of \$1.0 million to the Department of Military Affairs for IED training (\$750,000) and a military museum (\$250,000)
Amendment 40 eliminates \$2.0 million for the flood damage mitigation program in DNRC.
Amendments 43 and 44 eliminate \$10 million general fund for the flex fund in OPI.
Amendment 45 adds \$2.0 million for distance learning coordination. These funds were derived from the elimination of the virtual high school in amendment 47. The remaining \$240,000 of that appropriation was used to increase consolidated grants.

Amendments 46 and 48 add \$2.5 million general fund to the ag experiment stations for saw fly research (\$500,000) and infrastructure and equipment (\$2.0 million). Amendment 50 reduces funding for the ESSC equipment and moving expenses by \$1.0 general fund over the biennium.

Amendment HB064501.atp
Summary of Total Impact

Section/Agency	Action	General Fund	State Special	Federal	Total	Impact
<u>Combined in School Districts/Local and Tribal Grants - No Change in Total Funding</u>						
A - Commerce	Municipal Grants	\$10,000,000			\$10,000,000	No Change
A - Commerce	County Grants	10,000,000			10,000,000	No Change
A - Commerce	Tribal Grants	3,000,000			3,000,000	No Change
A - Commerce	School facilities		10,000,000		10,000,000	Reduced - \$25,034,000 remaining
A - Commerce	Energy Promotion Division	400,000			400,000	Reduced - \$510,000 remaining
A - Commerce	Quick Start Earmarked		5,966,000		5,966,000	Eliminated
A - Commerce	Agro Energy Industrial Park	400,000			400,000	Eliminated
D - Judicial Branch	Self Help Law	245,000			245,000	Reduced - \$250,000 remaining
E - Higher Ed	Virtual High School Ongoing	240,000			240,000	Reduced - Remainder to distance learning
	Total Grants	\$24,285,000	\$15,966,000	\$0	\$40,251,000	

Eliminated or Reduced

A - Administration	Interoperability	(\$1,000,000)			(\$1,000,000)	Eliminated
A - Commerce	Broadband Grants	(4,700,000)			(4,700,000)	Reduced - \$300,000 remaining
A - Commerce	Virtual High School Quick Start	(2,000,000)			(2,000,000)	Eliminated
A - Commerce	New Worker Training			(7,994,722)	(7,994,722)	Eliminated - Half this amount remains in HB 2
A - Commerce	Energy Promotion Division	(400,000)			(400,000)	Reduced - \$510,000 remaining
A - Commerce	Quick Start Earmarked		(5,966,000)		(5,966,000)	Eliminated
A - Commerce	Agro Energy Industrial Park	(400,000)			(400,000)	Eliminated
B - DPHHS	Mental Health Diversion Pilot	(3,500,000)			(3,500,000)	Reduced - \$500,000 remaining
B - DPHHS	Provider Rate Increase	(4,000,000)			(4,000,000)	Eliminated
C - DNRC	Flood Damage Mitigation	(2,000,000)			(2,000,000)	Eliminated
C - FWP	Access Montana	(3,000,000)			(3,000,000)	Eliminated
D - Judicial Branch	Self Help Law	(245,000)			(245,000)	Reduced - \$250,000 remaining
E - Higher Ed	Virtual High School Ongoing	(2,000,000)			(2,000,000)	Eliminated - Used for Distance Learning
E - Higher Ed	Virtual High School Ongoing	(240,000)			(240,000)	Reduced - Remainder to distance learning
E - OPI	Flex Fund	(10,000,000)			(10,000,000)	Eliminated
F - HB 10	ESSC Equipment/Moving	(1,000,000)			(1,000,000)	Reduced - \$2.5 million remaining
	Total Reductions	(\$34,485,000)	(\$5,966,000)	(\$7,994,722)	(\$48,445,722)	

Added or Enhanced

A - Commerce	Additional Grants	\$1,285,000	\$5,966,000		\$7,251,000	
A - Commerce	Community Dev. Block Grants	2,000,000			2,000,000	
A - Commerce	Coal Board Grants	4,500,000			4,500,000	
A - Military Affairs	Military Museum - Helena	250,000			250,000	
A - Military Affairs	IED Training Ft Harrison	750,000			750,000	
D - Justice	Mt. Meth Project	500,000			500,000	Adds to \$500,000 in HB 2
E - Higher Ed	Distance Learning	2,000,000			2,000,000	
E - Higher Ed	Saw Fly Research	500,000			500,000	
E - Higher Ed	AES Infrastructure/Equipment	2,000,000			2,000,000	
	Total Additions	\$13,785,000	\$5,966,000	\$0	\$19,751,000	

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Exhibit No. 16

Date 4-08-09

Amendments to House Bill No. 645 Bill No. HB 675
3rd Reading Copy

For the Senate Finance and Claims Committee

Prepared by LFD Staff (Coordinator - Smith)
April 2, 2009 (7:51am)

1. Page 6, line 17.

Following: "[SECTION 51]"

Insert: "language"

2. Page 7, line 14.

Following: "[SECTION 51]"

Insert: "language"

3. Page 45, line 10.

Following: "APPROPRIATION."

Strike: "THE AMOUNT OF"

Insert: "(1)Up to"

4. Page 45, line 13.

Following: "(2)"

Strike: "ANY FUNDS"

Insert: "Up to \$1 million in general fund"

Following: "REVERT"

Strike: "ARE"

Insert: "is"

5. Page 48, line 1.

Strike: ";

Insert: "."

6. Page 48.

Strike: line 2 through line 8 in their entirety

7. Page 49, line 7.

Following: "federal"

Strike: "stabilization"

8. Page 49, line 8.

Following: "funds"

Insert: "received pursuant to the American Recovery and
Reinvestment Act of 2009, Public Law 111-5,"

Following: the first "million"

Insert: "or more"

9. Page A-3.

Following: line 6

Insert: "g. Biomass Energy Study 500,000" [general fund FY 10]

Insert: "h. Montana Agro-Energy Industrial Park (Restricted)
200,000 200,000" [general fund FY 10 and FY 11]

10. Page A-3, line 10 through line 11.

Strike: subsection (b) in its entirety

11. Page A-4, line 3 through line 4.

Strike: subsection (d) in its entirety

Insert: "d. Historic Preservation Competitive Grants 1,500,000
1,500,000" [general fund FY 10 and FY 11]

12. Page A-4, line 16 through page A-5, line 1.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

13. Page A-5, line 14.

Following: "VIRTUAL"

Strike: "HIGH SCHOOL"

Insert: "Academy"

14. Page B-3, line 12.

Strike: "2,000,000 2,000 000" [general fund FY10 and FY11]

15. Page B-6, line 10.

Strike: "2,000,000 2,000,000" [general fund FY10 and FY11]

Insert: "1,500,000 1,500,000" [general fund FY10 and FY11]

16. Page B-8.

Strike: lines 7 through 8 in their entirety

17. Page B-8, line 9.

Following: "FY2010-11"

Insert: ": (1) may be used only to transfer funds eligible for
reserve under the American Recovery and Reinvestment Act of 2009,
Public Law 111-5, Title V, section 5001, to a state special
revenue account; (2)"

Following: "PROGRAM"

Strike: "."
Insert: "; and"

18. Page B-8, line 10.

Strike: "UP"
Insert: "(3) includes an appropriation of up"
Following: "FUNDS"
Strike: "MAY BE USED"

19. Page E-2, line 11.

Following: "FUND"
Insert: "Transfer"

20. Page E-2.

Following: line 12
Insert: "j. State School Flexibility Account
5,000,000 5,000,000 [state special revenue FY10 and
FY11]"

21. Page E-5, line 6.

Following: "VIRTUAL"
Strike: "HIGH SCHOOL"
Insert: "Academy"

22. Page F-1, line 10.

Strike: "Long-Range Building Program"
Insert: "State"
Following: "Conservation"
Strike: "Improvements"
Insert: "Repayment Account"

23. Page F-2, line 9.

Following: "h."
Insert: "State"
Following: "Energy"
Strike: "Project Administration"
Insert: "Conservation Capital Projects Account"

24. Page F-2, line 12.

Strike: "ESSC"
Insert: "Enterprise System Services Center"
Following: "Equipment"
Strike: "and Moving Expenses"
Insert: "(Department of Administration)"

25. Page F-2, line 14.

Following: "Montana"

Insert: "(Department of Administration)"

26. Page F-5, line 6.

Strike: line 6 in its entirety

- END -

Explanation -

This is a technical amendment

The amendment for page 6 and page 7 are intended to clarify that only items specified in language in Section 51 (rather than all of the line items) may be part of the base budget or present law budget for the 2013 biennium executive budget.

The amendment to page 45, line 10 allows up to \$4 million in a language appropriation rather than \$4 million.

The amendment to page 45, line 13 includes the amount of funds to be appropriated.

The amendments to page 48, lines 2 through 8 remove coordinating language related to the methamphetamine watch program in the Department of Justice and the invasive species program in the Department of Administration. Funding for these items remain in HB2.

The amendments to page 49 clarify which projects in HB 5 are impacted by the coordination language and clarifies the perception that there are capital projects included in HB 5 that sum to \$5.2 million exactly.

The amendments to page A-3 and A-4 realign appropriations for the Department of Commerce into the correct programs.

The amendment to page A-5 changes the line item name of the "Virtual High School" to the "Virtual Academy" to conform to the name used in HB 459.

The amendment to B-3, line 12 and B-6, line 12 reduce the 2011 biennium general fund appropriations in section B for provider rate increases and the mental health crisis diversion pilot program by \$5 million, because the general fund for those items is duplicated in the language appropriation section (37) of the

bill.

The amendments to B-8, lines 7,8,9 and 10 correct the reference to an appropriation and enumerate the uses of the appropriation.

The amendments to E-2 provides authority for the Office of Public Instruction to transfer \$5.0 million in general fund authority each year of the biennium to the school flexibility account in the state special revenue fund.

The amendment to E-5 changes the line item name of the "Virtual High School" to the "Virtual Academy" to conform to the name used in HB 459.

The amendment on F-1, line 10 and F-2, line 9 provides agreement between State Building Energy Program transfers and coordination language which makes specific changes based on the transfers.

The amendment to F-2 lines 12 and line 14 clarify the appropriations are to the department of administration.

The amendment to F-5, line 6 eliminates unnecessary language, a reference to an eliminated project.

Exhibit No. 17Date 4.8.09Bill No. HB 645Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Jim Peterson

For the Senate Finance and Claims Committee

Prepared by Barbara Smith
April 8, 2009 (4:22pm)

1. Page E-5, line 4.

Following: "STATION"**Strike:** remainder of line 4**Insert:** "--Sawfly Research (Restricted)"

2. Page E-5, line 5.

Strike: "300,000 300,000" [general fund FY10 and FY11]**Insert:** "250,000 250,000" [general fund FY10 and FY11]

3. Page E-5.

Following: line 5**Insert:** "f. Montana Extension Service -- Local Government Centers
(Restricted) 150,000 150,000" [general fund FY10 and FY11]**Renumber:** subsequent subsections

- END -

Explanation - This amendment establishes restricted appropriations for the Agriculture Experiment Station for the purpose of sawfly reserach and for the MUS Extension Service for the purpose of local government centers. There is no fiscal impact to this amendment.

Exhibit No. 13Date 4-8-09Amendments to House Bill No. 645 Bill No. HB 645
3rd Reading CopyFor the Senate Finance and Claims Committee
Requested by Senator John BrueggemanPrepared by Greg Petesch
April 8, 2009 (8:58am)

1. Title, line 16.

Following: "PROGRAM;"**Insert:** "PROVIDING FOR THE ALLOCATION AND AUTHORIZATION OF THE
TYPES OF BONDS MADE AVAILABLE UNDER THE AMERICAN RECOVERY
AND REINVESTMENT ACT OF 2009; AUTHORIZING THE MONTANA
FACILITY FINANCE AUTHORITY TO FINANCE CERTAIN PROJECTS FOR
FOR-PROFIT OR NONPROFIT CORPORATIONS AND ORGANIZATIONS;
PROVIDING FOR TAXATION OF THOSE PROJECTS;"

2. Title, line 17.

Following: "2-4-306,"**Insert:** "7-7-2255, 7-7-2501, 7-7-4255, 7-7-4421, 7-7-4501, 7-12-
2171, 7-15-4290, 7-15-4301, 7-15-4302,"**Following:** "17-2-124,"**Insert:** "17-5-504, 17-5-803, 17-5-922, 17-5-1506,"**Following:** "17-7-502,"**Insert:** "20-9-403, 20-9-433, 20-25-402,"

3. Title, line 18.

Strike: "AND"**Following:** "90-1-204,"**Insert:** "90-5-101, 90-5-103, 90-7-102, AND 90-7-104,"

4. Page 3.

Following: line 15**Insert:** "**Section 2.** Section 7-7-2255, MCA, is amended to read:**"7-7-2255. Form and execution of bonds.** (1) At the time of
the sale of the bonds or at a meeting held after the sale, the
board of county commissioners shall adopt a resolution providing
for the issuance of the bonds, prescribing the form of the bonds,
whether amortization bonds or serial bonds, and providing the
manner of execution of the bonds, and if applicable, specifying
whether the bonds are tax credit bonds as provided in [section
40], recovery zone economic development bonds or recovery zone
facility bonds as provided in [section 41], or qualified energy
conservation bonds as provided in [section 42].(2) Each county bond and each coupon attached to the bond
must be signed by or bear the facsimile signatures of the
presiding officer of the board of county commissioners and the
county treasurer and must be attested by the county clerk,
provided that one signature of a county official or the bond

registrar must be a manual signature. Each bond may have the county seal or its facsimile imprinted on the bond."

{Internal References to 7-7-2255:
7-7-2302*x }

Insert: "Section 3. Section 7-7-2501, MCA, is amended to read:

"7-7-2501. Authority to issue revenue bonds -- refunding revenue bonds. (1) A county may issue county revenue bonds in the same manner and with the same effect as provided in chapter 7, part 44, of this title for issuance of municipal revenue bonds. County revenue bonds may be issued to finance any project or activity enumerated in chapter 16, part 21, of this title or in Title 75, chapter 10, part 1. Revenue from the project for which the bonds are issued is the only revenue upon which a lien under the provisions of 7-7-4431 may apply. A lien may not attach to other revenue or other property within the county.

(2) A county may refund revenue bonds issued under the authority provided in subsection (1) by the method provided in either part 45 or part 46 of chapter 7.

(3) In construing, for purposes of this section, the provisions of parts 44, 45, or 46 of chapter 7, "municipal" is considered to refer to the county and "governing body" is considered to refer to the board of county commissioners whenever the board of county commissioners is acting pursuant to subsection (1).

(4) If applicable, the county shall specify whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy conservation bonds as provided in [section 42]."

{Internal References to 7-7-2501:
7-13-236 x}

Insert: "Section 4. Section 7-7-4255, MCA, is amended to read:

"7-7-4255. Form and execution of bonds. (1) At the time of the sale of the bonds or at a meeting held after the sale, the city or town council shall adopt a resolution providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization or serial bonds, and providing the manner of execution of the bonds, and if applicable, specifying whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy conservation bonds as provided in [section 42].

(2) Each bond and each coupon attached to a bond must be signed by or bear the facsimile signatures of the mayor and the treasurer of the city or town and must be attested by the city or town clerk, provided that one signature of a city or town official or the bond registrar must be a manual signature. Each bond may have the city or town seal or its facsimile imprinted on the bond."

{Internal References to 7-7-4255:

7-7-4302*x }"

Insert: "Section 5. Section 7-7-4421, MCA, is amended to read:

"7-7-4421. Authority to issue revenue bonds. (1) In addition to the powers which it may now have, any municipality shall have power under this part to:

(1)(a) issue its bonds to finance in whole or in part the cost of the acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of any undertaking;

(2)(b) pledge to the punctual payment of said bonds issued under this part or part 45 and interest thereon an amount of the revenues of such undertaking, (including improvements, betterments, or extensions thereto thereafter constructed or acquired), or of any part of ~~such the~~ undertaking sufficient to pay ~~said the~~ bonds and interest as ~~the same shall become it becomes~~ due, with ~~such an~~ amount consisting of all or any part or portion of ~~such the~~ revenue, and create and maintain reasonable reserves ~~therefor for the bonds~~.

(2) If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy conservation bonds as provided in [section 42]."

{Internal References to 7-7-4421:

7-7-4422x 7-7-4501a }"

Insert: "Section 6. Section 7-7-4501, MCA, is amended to read:

"7-7-4501. Authority to issue refunding revenue bonds. (1) In addition to the powers which it now may have, any municipality shall have the power under this part to refund bonds issued for any of the purposes listed in 7-7-4421(1)(a), whether issued under authority of part 45 or of any other applicable law.

(2) Refunding revenue bonds issued as authorized in this section ~~shall be~~ are governed by all of the provisions of part 44, except 7-7-4433 and 7-7-4434, as fully as bonds issued for the initial financing of any undertaking and by the further provisions of this part.

(3) Bonds may be issued to refund interest as well as principal actually due and payable if the revenues pledged therefor are not sufficient, but not to refund any bonds or interest due which can be paid from revenues then on hand."

{Internal References to 7-7-4501:

76-15-506 }"

Insert: "Section 7. Section 7-12-2171, MCA, is amended to read:

"7-12-2171. Details relating to rural improvement district bonds and warrants. (1) (a) The bonds and warrants must be drawn against either the construction or maintenance fund created for the special improvement district and must bear interest from the date of registration until called for redemption or paid in full. Bonds or warrants sold at a private, negotiated sale may bear interest at a rate varying periodically at the time or times and

on the terms determined by the board of county commissioners. The terms determined by the board of county commissioners may include the establishment of a maximum rate of interest or the convertibility to a fixed rate of interest.

(b) Variable rate bonds may be sold at a private negotiated sale if the principal amount of the bonds is \$500,000 or less and the board of county commissioners obtains separate written opinions from underwriters of Montana rural improvement district bonds stating the bonds are not marketable through a competitive bond sale. Bonds sold in principal amounts below \$250,000 do not require a marketability opinion.

(c) The interest must be payable annually or semiannually, at the discretion of the board of county commissioners, on the dates that the board prescribes. The warrants or bonds must bear the signatures of the presiding officer of the board and the county clerk and may bear the corporate seal of the county. The warrants or bonds must be registered in the office of the county clerk and the county treasurer, and if interest coupons are attached to the warrants or bonds, the interest coupons must also be registered and must bear the signatures of the presiding officer of the board and the county clerk. The coupons may bear the facsimile signatures of the officers in the discretion of the board.

(2) The bonds must be in denominations of \$100 or fractions or multiples of \$100, may be issued in installments, and may extend over a period not to exceed 30 years. However, if federal loans are available for improvements, repayment may extend over a period not to exceed 40 years. For the purposes of this subsection, the term of a bond issue commences on July 1 of the fiscal year in which the county first levies to pay principal and interest on the bonds.

(3) If applicable, the board of county commissioners shall specify whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy conservation bonds as provided in [section 42]."

{ Internal References to 7-12-2171:

7-12-2172* x 7-13-114* x 7-13-3043* x }"

Insert: "Section 8. Section 7-15-4290, MCA, is amended to read:

"7-15-4290. Use of property taxes and other revenue for payment of bonds. (1) (a) The tax increment derived from an urban renewal area may be pledged for the payment of revenue bonds issued for urban renewal projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay urban renewal costs described in 7-15-4288 and 7-15-4289.

(b) The tax increment derived from an industrial district may be pledged for the payment of revenue bonds issued for industrial infrastructure development projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay industrial district costs described in 7-15-4288

and 7-15-4289.

(c) The tax increment derived from a technology district may be pledged for the payment of revenue bonds issued for technology infrastructure development projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay technology district costs described in 7-15-4288 and 7-15-4289.

(2) A municipality issuing bonds pursuant to subsection (1) may, by resolution of its governing body, enter into a covenant for the security of the bondholders, detailing the calculation and adjustment of the tax increment and the taxable value on which it is based and, after a public hearing, pledging or appropriating other revenue of the municipality, except property taxes prohibited by subsection (3), to the payment of the bonds if collections of the tax increment are insufficient.

(3) Property taxes, except the tax increment derived from property within the area or district and tax collections used to pay for services provided to the municipality by a project, may not be applied to the payment of bonds issued pursuant to 7-15-4301 for which a tax increment has been pledged.

(4) If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy conservation bonds as provided in [section 42]."

{ Internal References to 7-15-4290:

7-15-4282* x	7-15-4283*x	7-15-4283*x	7-15-4283*x
7-15-4286*x	7-15-4295*x	7-15-4296* x	7-15-4299*x
7-15-4301*x	7-15-4324*x	}	

Insert: "Section 9. Section 7-15-4301, MCA, is amended to read:

"7-15-4301. Authorization to issue urban renewal bonds, industrial infrastructure development bonds, aerospace transportation and technology infrastructure development bonds, technology infrastructure development bonds, and refunding bonds.

(1) A municipality may:

(a) issue bonds from time to time, in its discretion, to finance the undertaking of any urban renewal project, industrial infrastructure development project, aerospace transportation and technology infrastructure development project, or technology infrastructure development project under part 42 and this part, including, without limiting the generality of projects, the payment of principal and interest upon any advances for surveys and plans for the projects; and

(b) issue refunding bonds for the payment or retirement of bonds previously issued by it.

(2) The bonds may not pledge the general credit of the municipality and must be made payable, as to both principal and interest, solely from the income, proceeds, revenue, and funds of the municipality derived from or held in connection with its undertaking and carrying out of urban renewal projects, industrial infrastructure development projects, aerospace

transportation and technology infrastructure development projects, or technology infrastructure development projects under part 42 and this part, including the tax increment received and pledged by the municipality pursuant to 7-15-4282 through 7-15-4292, and, if the income, proceeds, revenue, and funds of the municipality are insufficient for the payment, from other revenue of the municipality pledged to the payment. Payment of the bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source in aid of any urban renewal projects, industrial infrastructure development projects, aerospace transportation and technology infrastructure development projects, or technology infrastructure development projects of the municipality under part 42 and this part or by a mortgage on all or part of any projects.

(3) Bonds issued under this section must be authorized by resolution or ordinance of the local governing body.

(4) If applicable, the governing body of the municipality shall specify whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy conservation bonds as provided in [section 42]."

{ Internal References to 7-15-4301:

7-15-4290x 7-15-4302 x 7-15-4321x 7-15-4322x
7-15-4323x }"

Insert: "Section 10. Section 7-15-4302, MCA, is amended to read:

"7-15-4302. Authorization to issue general obligation bonds. (1) For the purpose of 7-15-4267 or for the purpose of aiding in the planning, undertaking, or carrying out of an urban renewal project or an industrial infrastructure development project of a municipality, the municipality, in addition to any authority to issue bonds pursuant to 7-15-4301, may issue and sell its general obligation bonds.

(2) Any bonds issued pursuant to this section ~~shall~~ must be issued in the manner and within the limitations prescribed by the laws of this state for the issuance and authorization of bonds by ~~such the~~ municipality for public purposes generally.

(3) Aiding in the planning, undertaking, or carrying out of an approved urban renewal project or an industrial infrastructure development project is considered a single purpose for the issuance of general obligation bonds, and the proceeds of the bonds authorized for any ~~such~~ project may be used to finance the exercise of any and all powers conferred upon the municipality by this part and part 42 ~~which that~~ are necessary or proper to complete the project in accordance with the approved plan or industrial district ordinance and any modification thereof ~~of the plan~~ duly adopted by the local governing body.

(4) If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy

conservation bonds as provided in [section 42]."

{ Internal References to 7-15-4302;
7-15-4218x } "

Renumber: subsequent sections

5. Page 6, line 1.

Insert: "Section 14. Section 17-5-504, MCA, is amended to read:

"17-5-504. **Forms, interest, and maturity.** Such General obligation highway bonds shall must be issued by the board, upon request of the department of administration, in such the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with such provisions for conversion or exchange and for the issuance of notes in anticipation of the execution and delivery of definitive bonds, bearing interest, maturing at such times not exceeding 20 years from date of issue, subject to redemption at such earlier times and prices and upon such notice, and payable at the office of such the fiscal agent of the state, as that the board shall determine, subject to the limitations contained herein in this part. If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 40]."

{ Internal References to 17-5-504: None. }

Insert: "Section 15. Section 17-5-803, MCA, is amended to read:

"17-5-803. **Form -- principal and interest -- fiscal agent -- bond registrar and transfer agent -- deposit of proceeds.** (1) Subject to the limitations contained in this part and in the bond act and in the furtherance of each bond act, bonds may be issued by the board upon request of the department. The bonds may be issued in the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with provisions for conversion or exchange, and for the issuance of temporary bonds bearing interest at a rate or rates, maturing at times not exceeding 30 years from date of issue, subject to redemption at earlier times and prices and on notice, and payable at the office of the fiscal agency of the state as the board determines.

(2) In all other respects, the board is authorized to prescribe the form and terms of the bonds and do whatever is lawful and necessary for their issuance and payment. Action taken by the board under this part must be by a majority vote of its members. The state treasurer shall keep a record of all bonds issued and sold.

(3) The board is authorized to employ a fiscal agent and a bond registrar and transfer agent to assist in the performance of its duties under this part.

(4) The board, in its discretion, is authorized to pay all costs of issuance of bonds, including without limitation rating agency fees, printing costs, legal fees, bank or trust company fees, costs to employ persons or firms to assist in the sale of the bonds, line of credit fees and charges, and all other amounts

related to the costs of issuing the bonds from amounts available for these purposes in the general fund or from the proceeds of the bonds.

(5) All proceeds of bonds and notes issued under this part must be deposited in the capital projects account, except that any premiums and accrued interest received and the proceeds of refunding bonds or notes must be deposited in the debt service account.

(6) If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 40]."

{ Internal References to 17-5-803:

75-5-1121x 75-6-225x }"

Insert: "Section 16. Section 17-5-922, MCA, is amended to read:

"17-5-922. Form -- principal and interest -- fiscal agent -- bonds authorized. (1) Each series of bonds may be issued by the board at public or private sale, in such the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with such provisions for the conversion or exchange, bearing interest at such the rate or rates or the method of determining such the rate or rates, maturing at such times, not more than 40 years from date of issue, subject to redemption at such earlier times and prices and upon such notice, and payable at the office of a fiscal agency of the state as that the board shall determine, subject to the limitations contained in this part. Any action taken by the board under this part must be approved by at least a majority vote of its members.

(2) In all other respects the board is authorized to prescribe the form and terms of the bonds and shall do whatever is lawful and necessary for their issuance and payment.

(3) Bonds and any interest coupons appurtenant ~~thereto to~~ the bonds must be signed by the members of the board, and the bonds must be issued under the great seal of the state of Montana. The bonds and coupons may be executed with facsimile signatures and seal in the manner and subject to the limitations prescribed by law. The state treasurer shall keep a record of all such bonds issued and sold.

(4) The board may employ a fiscal agent and a bond registrar and transfer agent to assist in the performance of its duties under this part.

(5) In connection with the issuance and sale of bonds, the board may arrange for lines of credit or letters of credit with any bank, firm, or person for the purpose of providing an additional source of repayment for bonds issued pursuant to this part. Amounts drawn on such lines of credit may be evidenced by negotiable or nonnegotiable notes or other evidences of indebtedness, containing such terms and conditions as that the board may authorize in the resolution approving the ~~same~~ notes or evidences of indebtedness.

(6) ~~No more~~ More than \$150 million of bonds issued under

this part may not be outstanding at any time. ~~No additional~~ Additional bonds, other than refunding bonds, may not be issued until the pledge in favor of the highway revenue bonds is satisfied and discharged.

(7) If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 40]."

{ Internal References to 17-5-922: None. }"

Insert: "Section 17. Section 17-5-1506, MCA, is amended to read:

"17-5-1506. Bonds and notes for projects and major projects. (1) The board may by resolution issue negotiable notes and bonds in a principal amount as that the board determines necessary to provide sufficient funds for achieving any of its purposes, including the payment of interest on notes and bonds of the board, establishment of reserves to secure the notes and bonds, including the reserve funds created under 17-5-1515, and all other expenditures of the board incident to and necessary or convenient to carry out this part.

(2) The board may by resolution, from time to time, issue notes to renew notes and bonds or to pay notes, including interest, and whenever it considers refunding expedient, refund any bonds by the issuance of new bonds, whether or not the bonds to be refunded have matured, or issue bonds partly to refund bonds outstanding and partly for any of its other purposes.

(3) Except as otherwise expressly provided by resolution of the board, every issue of its bonds is an obligation of the board payable out of any revenue, assets, or money of the board, subject only to agreements with the holders of particular notes or bonds pledging particular revenues, assets, or money.

(4) The notes and bonds must be authorized by resolutions of the board, bear a date, and mature at the times the resolutions provide. A note may not mature more than 5 years from the date of its issue. A bond may not mature more than 40 years from the date of its issue. The bonds may be issued as serial bonds payable in annual installments, as term bonds, or as a combination thereof of serial and term bonds. The notes and bonds must bear interest at a stated rate or rates or at a rate or rate determination as stated, be in denominations, be in a form, either coupon or registered, carry registration privileges, be executed in a manner, be payable in a medium of payment, at places inside or outside the state, and be subject to terms of redemption as provided in resolutions. The notes and bonds of the board may be sold at public or private sale, at prices above or below par, as determined by the board, and in a manner such that interest on the bonds is either exempt from or subject to federal income tax. If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 40].

(5) The bonds issued under this part are exempt from the Montana Securities Act, but copies of all prospectus and disclosure documents must be deposited with the state securities commissioner for public inspection.

(6) The total amount of bonds secured under 17-5-1515 outstanding at any one time, except bonds as to which the board's obligations have been satisfied and discharged by refunding or bonds for which reserves for payment or other means of payment have been provided, may not exceed \$100 million."

{Internal References to 17-5-1506:

17-5-1525*x 17-6-308*x }"

Renumber: subsequent sections

6. Page 6, line 17.

Strike: "51"

Insert: "77"

7. Page 7, line 14.

Strike: "51"

Insert: "77"

8. Page 12, line 11.

Strike: "23"

Insert: "49"

9. Page 13.

Following: line 5

Insert: "Section 21. Section 20-9-403, MCA, is amended to read:

"20-9-403. **Bond issues for certain purposes.** (1) The trustees of a school district may issue and negotiate general obligation bonds or impact aid bonds of the school district for the purpose of:

(a) building, altering, repairing, buying, furnishing, equipping, purchasing lands for, or obtaining a water supply for a school, teacherage, dormitory, gymnasium, other building, or combination of buildings for school purposes;

(b) buying a school bus or buses;

(c) providing the necessary money to redeem matured bonds, maturing bonds, or coupons appurtenant to bonds when there is not sufficient money to redeem them;

(d) providing the necessary money to redeem optional or redeemable bonds when it is for the best interest of the school district to issue refunding bonds;

(e) funding a judgment against the district, including the repayment of tax protests lost by the district; or

(f) funding a debt service reserve account that may be required for impact aid revenue bonds.

(2) Money realized from the sale of bonds issued on the credit of a high school district may not be used for any of the purposes listed in subsection (1) in an elementary school district, and the money may be used for any of the purposes listed in subsection (1) for a junior high school but only to the extent that the 9th grade of the high school is served.

(3) If applicable, the trustees shall specify whether the

bonds are qualified school construction bonds as described in [section 39(1)] or tax credit bonds as provided in [section 40]."

{ Internal References to 20-9-403:

20-9-435x 20-9-435x 20-15-404*x }"

Insert: "Section 22. Section 20-9-433, MCA, is amended to read:

"20-9-433. Form and execution of school district bonds. (1) At the time of the sale of the bonds or at a meeting held after the sale, the trustees shall adopt a resolution or indenture of trust providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization or serial bonds, and prescribing the manner of execution of the bonds. If applicable, the trustees shall specify whether the bonds are qualified school construction bonds as described in [section 39(1)] or tax credit bonds as provided in [section 40].

(2) Each bond and coupon attached to a bond must be signed by or bear the facsimile signatures of the presiding officer of the trustees and the school district clerk, provided that one signature of a school official or the bond registrar must be a manual signature."

{ Internal References to 20-9-433:

20-15-404* }"

Insert: "Section 23. Section 20-25-402, MCA, is amended to read:

"20-25-402. Borrowing by regents. (1) In carrying out the powers provided in 20-25-107, 20-25-301, and 20-25-302, the regents may:

(1)(a) borrow money for any purpose or purposes stated in parts 3 and 4 of this chapter, including, if considered desirable by the regents, the payment of interest on the money borrowed for a facility during the construction thereof of the facility and for 1 year thereafter after construction and the creation of a reserve for the payment of bond principal and interest;

(2)(b) make purchases on a time or installment basis;

(3)(c) issue bonds, notes, and other securities, negotiable or otherwise, secured as provided in this section, including bearer bonds with appurtenant interest coupons, which ~~shall~~ must be fully negotiable notwithstanding any limitation on the source of payment thereof of the bonds, notes, or securities, or fully registered bonds or bonds registered as to ownership of principal only;

(4)(d) pledge for the payment of the purchase price of any facility or of the principal and interest on bonds, notes, or other securities authorized in this chapter or otherwise obligate:

(a)(i) the net income received from rents, board, or both in housing, food service, and other facilities;

(b)(ii) receipts from student building, activity, union, and other special fees prescribed by the regents for all students; and

(c)(iii) (A) other income in the form of gifts, bequests, contributions, or federal grants of funds, including the proceeds

or income from grants of lands or other real or personal property;

(B) receipts from athletic and other contests, exhibitions, and performances; and

(C) collections of admissions and other charges for the use of facilities, including all use by other persons, firms, and corporations for athletic and other contests, exhibitions, and performances and for the conduct of their business, educational, or governmental functions;

(5)(e) make payments on loans or purchases from any other available income not obligated for those purposes, including receipts from sale of materials, equipment, and fixtures of the facilities or from sales of the facilities themselves, other than land;

(6)(f) secure any bonds authorized ~~hereunder~~ under this section by a trust indenture between the regents and any bank or trust company within or ~~without~~ outside of the state of Montana or by a resolution establishing covenants of the regents with the holders of ~~such the~~ the bonds relating to:

(a)(i) the construction, operation, use, and insurance of the facilities;

(b)(ii) the segregation, expenditure, and audit of accounts of the bond proceeds and of the income pledged;

(c)(iii) the establishment and collection of rents, charges, admissions, and fees sufficient to provide net income adequate for prompt payment of principal and interest on bonds and creation and maintenance of reserves for that purpose; and

(d)(iv) ~~such other matters as that~~ the the regents may determine to be necessary or desirable for the security and marketability of the bonds;

(7)(g) issue and sell or exchange bonds, secured as provided in this section, for the refunding of any outstanding bonds or other obligations issued by the regents ~~before or after January 29, 1971,~~ subject to the following provisions:

(a)(i) refunding bonds may, with the consent of the holders of the bonds to be refunded ~~thereby,~~ be exchanged at par plus accrued interest for all or part of ~~such the~~ the bonds or may be sold at a price not less than par plus accrued interest. They may be secured by a pledge of the same revenue as the bonds refunded or by a pledge of different or additional revenues received at the same unit of the university. ~~Nothing herein shall~~ This subsection (1)(g) may not require the holder of any outstanding bond to accept payment ~~thereof of the bond~~ therefor for the bond, except in accordance with the terms of the outstanding bond. Bonds may be issued to refund interest as well as principal actually due and payable if the revenues pledged ~~therefor for the bonds~~ are not sufficient, but not to refund any bonds or interest due ~~which that~~ can be paid from revenues then on hand.

(b)(ii) refunding bonds may bear interest at a rate lower

or higher than the bonds refunded ~~thereby by the refunding bonds~~ if they are issued to refund matured principal or interest for the payment of which revenues on hand are not sufficient ~~or if they are issued to refund before maturity bonds issued before January 1, 1965,~~ for the purpose of releasing revenues required for payment of the outstanding bonds permitting the pledge ~~thereof of the revenue~~ for the security of other bonds as well as the refunding bonds, subject to the rights of the holders of the outstanding bonds until those bonds are fully paid and redeemed. Except as authorized in the preceding sentence, refunding bonds ~~shall~~ may not be issued unless their average annual interest rate, computed to their stated maturity dates and excluding any premium from ~~such the~~ computation, is at least $3/8$ of 1% less than the average annual interest rate on the bonds refunded ~~thereby~~, computed to their respective stated maturity dates.

(c)(iii) in any case where refunding bonds are issued and sold 6 months or more before the earliest date on which all bonds refunded ~~thereby by the refunding bonds~~ mature or are prepayable in accordance with their terms, the proceeds of the refunding bonds, including any premium and accrued interest, ~~shall~~ must be deposited in escrow with a suitable bank or trust company having its principal place of business within or ~~without~~ outside of the state, which is a member of the federal reserve system and has a combined capital and surplus not less than \$1 million and ~~shall~~ must be invested in the amount and in securities maturing on the dates and bearing interest at the rates ~~which that~~ will be required to provide funds sufficient to pay when due the interest to accrue on each bond refunded to its maturity or, if it is prepayable, to the earliest prior date upon which the bond may be called for redemption from the proceeds of the refunding bonds and to pay and redeem the principal amount of each bond at maturity or, if prepayable, on that redemption date and any premium required for redemption on that date. The resolution or indenture authorizing the refunding bonds ~~shall~~ must irrevocably appropriate for these purposes the escrow fund and all income ~~therefrom from the escrow fund~~ and ~~shall~~ must provide for the call of all prepayable bonds in accordance with their terms. The securities to be purchased with ~~such the~~ escrow funds ~~shall~~ must be limited to general obligations of the United States, securities whose principal and interest payments are guaranteed by the United States, and securities issued by the following United States government agencies: banks for cooperatives, federal home loan banks, federal intermediate credit banks, federal land banks, and the federal national mortgage association. The securities ~~shall~~ must be purchased simultaneously with the delivery of the refunding bonds.

(d)(iv) revenues or other funds on hand, in excess of the amount pledged by resolutions or indentures authorizing outstanding bonds for the payment of principal and interest currently due ~~thereon on the outstanding bonds~~ and reserves

securing such the payment, may be used to pay the expenses incurred by the regents for the purpose of refunding, including but without limitation the cost of advertising and printing refunding bonds, legal and financial advice and assistance in connection ~~therewith~~ with refunding the bonds, and the reasonable and customary charges of escrow agents and paying agents.

Revenues and other funds on hand, including reserves pledged for the payment and security of outstanding revenue bonds, may be deposited in an escrow fund created for the retirement of those bonds and may be invested and disbursed as provided in subsection ~~(7)(c) hereof~~ (1)(g)(iii) to the extent consistent with the resolutions or indentures authorizing such the outstanding bonds.

~~(8)(h)~~ (h) sell bonds and sell or exchange refunding bonds issued ~~hereunder~~ under this section in the manner and upon the terms as to maturities, interest rates, and redemption privileges and for the price that the regents determine with the approval of the department of administration.

(2) If applicable, the regents shall specify whether the bonds issued under this section are tax credit bonds as provided in [section 40]."

{ Internal References to 20-25-402:
20-25-308x 20-25-405x }"

Renumber: subsequent sections

10. Page 31.

Following: line 9

Insert: "NEW SECTION. Section 39. Allocation of bonding limits -- American Recovery and Reinvestment Act of 2009. Unless the regulations adopted by the United States secretary of the treasury specify otherwise:

(1) the office of public instruction is responsible for allocating the state's share of qualified school construction bonds as authorized in section 1521 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the state's allocated share of qualified zone academy bonds as authorized in section 54E of the Internal Revenue Code, 26 U.S.C. 54E;

(2) the department of administration is responsible for allocating the state's share of qualified energy conservation bonds as authorized in section 54D of the Internal Revenue Code 26 U.S.C. 54D, as amended by section 1112 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5; and

(3) the department of administration, in consultation with the department of commerce, is responsible for allocating the state's share of recovery zone economic development bonds and recovery zone facility bonds, as authorized in section 1401 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

Insert: "NEW SECTION. Section 40. Tax credit bonds. (1) As used in this section, "tax credit bond" means any general obligation bond, impact aid revenue bond, special improvement

district bond, revenue bond, industrial development bond, tax increment bond, or any other bond of the state or a political subdivision that has been duly authorized and is eligible for designation as and has been designated as a qualified tax credit bond under section 54A, section 54D, section 54E, section 54F, or section 54AA of the Internal Revenue Code, 26 U.S.C. 54A, 54D, 54E, 54F, or 54AA.

(2) Any bond issued as a tax credit bond may be issued and sold at public or private sale, may be payable and mature as to principal and interest, if any, on any date or dates, may be subject to redemption in whole or in part as determined by the governing body of the issuer, and may have other terms and conditions that the issuer considers to be necessary and appropriate.

(3) The governing body of the issuer of any tax credit bond is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bond, including investment of funds and accounts to repay the bond."

Insert: "NEW SECTION. Section 41. Recovery zone economic development bonds and recovery zone facility bonds. (1) Subject to the conditions and provisions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the availability of allocation as determined in [section 39], cities and counties are authorized to designate economic recovery zones and issue recovery zone economic development bonds and recovery zone facility bonds to finance the costs of recovery zone projects and facilities eligible under the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The bonds must be authorized by the governing body of the city or county in accordance with the applicable provisions of Montana law, unless otherwise provided in [section 40]. The governing body is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bonds, subject to the following limitations:

(a) if the bonds that are issued under this section pledge the city's or county's credit or taxing power, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 22 or 42, as appropriate;

(b) if the bonds are payable from and secured solely by the revenue from a governmentally owned and operated facility or undertaking, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 44;

(c) if the bonds are payable from special assessments levied against benefited property, the project must be eligible for special assessment financing and must be authorized in accordance with the provisions of Title 7, chapter 12, part 21 or parts 41 and 42, as appropriate;

(d) if the bonds are payable from tax increment revenue, the project to be financed must be eligible for tax increment

financing and the project must be approved and the bonds must be authorized in accordance with the provisions of Title 7, chapter 15, parts 42 and 43;

(e) if the bonds are industrial development revenue bonds of the issuer, the bonds must be authorized in accordance with the provisions of Title 90, chapter 5, part 1."

"NEW SECTION. Section 42. Qualified energy conservation bonds. (1) Subject to the conditions and provisions contained in section 54D of the Internal Revenue Code, 26 U.S.C. 54D, as amended by the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the availability of an allocation, cities and counties are authorized to issue qualified energy conservation bonds to finance projects for qualified energy conservation purposes and are authorized to undertake the qualified energy conservation purposes and programs within the meaning of the section 54D of the Internal Revenue Code, 26 U.S.C. 54D, as amended by the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The bonds must be authorized by the governing body of the city or county in accordance with the provisions of applicable Montana law, except as otherwise provided in [section 40]. The governing body is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bonds, subject to the following limitations:

(a) if the bonds that are to be issued under this section pledge the city's or county's credit or taxing power, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 22 or 42, as appropriate;

(b) if the bonds to be issued under this section are payable from and secured solely by the revenue derived or generated from a qualified energy conservation program or project, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 44;

(c) if the bonds are payable from special assessments levied against benefited property, the project must be eligible for special assessment financing and must be authorized in accordance with the provisions of Title 7, chapter 12, part 21 or parts 41 and 42, as appropriate;

(d) if the bonds are payable from tax increment revenue, the project to be financed must be eligible for tax increment financing and the project must be approved and the bonds must be authorized in accordance with the provisions of Title 7, chapter 15, parts 42 and 43;

(e) if the bonds are industrial development revenue bonds of the issuer, the bonds must be authorized in accordance with the provisions of Title 90, chapter 5, part 1.

Insert: "Section 43. Section 90-5-101, MCA, is amended to read:

"90-5-101. Definitions. As used in this part, unless the context otherwise requires, the following definitions apply:

(1) "Agricultural enterprises" includes but is not limited to producing, warehousing, storing, fattening, treating, handling, distributing, or selling farm products or livestock.

(2) "Bonds" means bonds, refunding bonds, notes, or other obligations issued by a municipality or county under the authority of this part, including without limitation short-term bonds or notes issued in anticipation of the issuance of long-term bonds or notes.

(3) "Electric energy generation facility" means any combination of a physically connected generator or generators, associated prime movers, and other associated property and transmission facilities and upgrades and improvements of transmission facilities, including appurtenant land and improvements and personal property, that are normally operated together to produce and transfer electric power. The term includes but is not limited to generating facilities that produce and transfer electricity from coal-fired steam turbines, oil or gas turbines, wind turbines, solar power sources, fuel cells, or turbine generators that are driven by falling water.

(4) "Family services provider" means organizations, including nonprofit corporations, that provide human services for children and adults, including but not limited to early care services for children, youth services, health services, social services, habilitative services, rehabilitative services, preventive care, and supportive services, and training, educational, and referral activities in support of human services.

(5) "Governing body" means the board or body in which the general legislative powers of the municipality or county are vested.

(6) "Higher education facilities" means any real or personal properties required or useful for the operation of an institution of higher education.

(7) "Institution of higher education" means any private, nonprofit corporation or institution within the state of Montana:

(a) authorized to provide or operate educational facilities; and

(b) providing a program of education beyond the high school level.

(8) "Mortgage" means a mortgage or deed of trust or other security device.

(9) "Municipality" means any incorporated city or town in the state.

(10) "Project" means:

(a) any land, any building or other improvement, and any other real or personal properties considered necessary in connection with the improvement, whether or not now in existence, that must be suitable for use for commercial, manufacturing, agricultural, or industrial enterprises;

(b) recreation or tourist facilities;

(c) local, state, and federal governmental facilities;
(d) multifamily housing, hospitals, long-term care facilities, community-based facilities for individuals who are persons with developmental disabilities as defined in 53-20-102, or medical facilities;

(e) higher education facilities;

(f) electric energy generation facilities;

(g) family services provider facilities;

(h) any facilities that are used or considered necessary to create or produce any intangible item, as defined in section 197(d)(1)(C)(iii) of the Internal Revenue Code, 26 U.S.C. 197(d)(1)(C)(iii), including any patent, copyright, formula, process, design, pattern, knowledge, format, or other similar intangible item;

(i) the production of energy using an alternative renewable energy source as defined in 15-6-225; and

(j) any combination of these projects in subsections (10)(a) through (10)(i)."

{ Internal References to 90-5-101:

15-72-104x 17-5-1503x }"

Insert: "Section 44. Section 90-5-103, MCA, is amended to read:

"90-5-103. Limited obligation bonds -- form and contents -- sale -- negotiability -- filing. (1) All bonds issued by a municipality or county under the authority of this part must be limited obligations of the municipality or county. Bonds and interest coupons issued under the authority of this part may not constitute or give rise to a pecuniary liability of the municipality or county or a charge against its general credit or taxing powers. This limitation must be plainly stated upon the face of each of the bonds.

(2) The bonds referred to in subsection (1) may be executed and delivered at any time and from time to time, be in form and denominations, be of tenor, be in registered or bearer form either as to principal or interest, or both, be payable in installments and at a time or times not exceeding 40 years from the bonds date, be payable at a place or places, bear interest at a rate or rates, be evidenced in a manner, be redeemable prior to maturity, with or without premium, and contain provisions not inconsistent with this part as considered in the best interest of the municipality or county and provided for in the proceedings of the governing body under whose authority the bonds must be authorized to be issued.

(3) Any bonds issued under the authority of this part may be sold at public or private sale in a manner, at a time or times, and at a price above or below par as may be agreed upon by the lessee of the project or the borrower of the funds. The municipality or county may pay all expenses, premiums, and commissions that the governing body may consider necessary or advantageous in connection with the authorization, sale, and issuance of the bonds from the proceeds of the sale of the bonds

or from the revenue of the projects.

(4) All bonds issued under the authority of this part and all interest coupons applicable to the bonds must be construed to be negotiable instruments despite the fact that they are payable solely from a specified source.

(5) All bonds issued under the authority of this part must be filed with the securities commissioner within 10 days of the date of their issue. The filing must include the name of the issuing authority, the name and address of the person or entity on whose behalf the bonds are issued, the amount of the bond issue, the date of the bond issue, and any other information that the securities commissioner may request. Failure to comply with this section does not affect the validity of the bond issue.

(6) If applicable, the governing body of the municipality or county shall specify whether the bonds are tax credit bonds as provided in [section 40], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 41], or qualified energy conservation bonds as provided in [section 42]."

{ Internal References to 90-5-103:
90-5-107 } "

Insert: "Section 45. Section 90-7-102, MCA, is amended to read:

"90-7-102. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Authority" means the Montana facility finance authority created in 2-15-1815.

(2) "Capital reserve account" means the account established in 90-7-317.

(3) "Costs" means costs allowed under 90-7-103.

(4) "Eligible facility" means any eligible facility as defined in 90-7-104.

(5) (a) "Institution" means any public or private:

(i) nonprofit hospital, corporation, or other organization authorized to provide or operate an eligible facility in this state; or

(ii) nonprofit prerelease center, corporation, or other organization authorized to operate a prerelease center in this state; or

(iii) for-profit or nonprofit corporation or other organization authorized to provide for or to operate a project or a facility with qualified small issue bond financing pursuant to section 144(a) of the Internal Revenue Code, 26 U.S.C. 144(a).

(b) The term also includes the following, provided that the entity is a nonprofit entity or is controlled by one or more nonprofit entities:

(i) a network of health care providers, regardless of how it is organized;

(ii) an integrated health care delivery system;

(iii) a joint venture or partnership between or among health care providers;

(iv) a purchasing alliance composed of health care providers;

(v) any health insurers and third-party administrators that are participants in a system, network, joint venture, or partnership that provides health services through one or more health facilities.

(6) "Participating institution" means an institution that undertakes the financing, refunding, or refinancing of obligations on the construction or acquisition of an eligible facility pursuant to the provisions of this chapter.

(7) "Revenue" means, with respect to eligible facilities, the rents, fees, charges, interest, principal repayments, and other income received or to be received by the authority from any source on account of the eligible facilities."

{Internal References to 90-7-102: None.}"

Insert: "Section 46. Section 90-7-104, MCA, is amended to read:

"90-7-104. Eligible facility. (1) The term "eligible facility" means any structure or building suitable for use as:

(a) a hospital, clinic, nursing home, or other health care facility as defined in 50-5-101;

(b) a public health center, as defined in 7-34-2102;

(c) a facility for persons with disabilities;

(d) a chemical dependency treatment facility;

(e) a nursing school;

(f) a medical teaching facility;

(g) a laboratory;

(h) a dental care facility;

(i) a prerelease center;

(j) a diagnostic, treatment, or surgical center;

(k) a facility providing services for the elderly; or

(l) applicable to a project or a facility with qualified small issue bond financing pursuant to section 144(a) of the Internal Revenue Code, 26 U.S.C. 144(a); or

(1)(m) a structure or facility related to any of the uses enumerated in subsections (1)(a) through ~~(1)(k)~~ (1)(l) or required or useful for the operation of an eligible facility. These related facilities include supporting service structures and all necessary, useful, and related equipment, furnishings, and appurtenances and include without limitation the acquisition, preparation, and development of all lands and real and personal property necessary or convenient as a site for any of the uses enumerated in subsections (1)(a) through ~~(1)(k)~~ (1)(l).

(2) An eligible facility does not include:

(a) items such as food, fuel, supplies, or other items that are customarily considered as current operating expenses; and

(b) a structure used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship."

{Internal References to 90-7-104:

90-7-102 x}"

Insert: "NEW SECTION. Section 47. Taxation of projects. (1)

Regardless of whether the title to a project is held by the authority or a trustee acting for the authority, if the project is being financed by the authority on behalf of a for-profit corporation or other organization, the project is subject to taxation to the same extent, in the same manner, and under the same procedures as privately owned property in similar circumstances if the project is leased to or held by private interests on both the assessment date and the date the county commissioners set the mill levies in any year. The project is not subject to taxation in any year during which it is not leased to or held by private interests on both the assessment date and the date the county commissioners set the mill levy.

(2) When personal property owned by the authority or a trustee acting for the authority is taxed under this section and the personal property taxes on the personal property are delinquent, levy by warrant for distraint for collection of the delinquent taxes may be made only on the personal property against which the taxes were levied."

"NEW SECTION. Section 48. Procedure prior to financing certain projects. (1) In addition to meeting the other requirements contained in this chapter or in state or federal law, the requirements of subsections (2) through (4) must be met before financing is provided for a project described in 90-7-104(1)(1).

(2) The authority shall find that the financing is in the public interest. In order to determine whether or not the financing is in the public interest, a public hearing must be conducted in the following manner:

(a) the city or county in which the project will be located must be notified, and the city and county shall, within 14 days after receipt of the notice, notify the board if it elects to conduct the hearing; or

(b) if a request for a local hearing is not received by the authority within 14 days after the notification in subsection (2)(a), the authority may hold the hearing at a time and place it determines.

(3) Notice of the hearing must be published at least once a week for 2 weeks prior to the date set for the hearing by publication in a newspaper of general circulation in the city or county where the hearing will be held and the project will be located. The notice must include the time and place of the hearing, a general description of the nature and location of the project, the name of the lessee, borrower, or user of the project and the maximum principal amount of the financing to be provided by the authority.

(4) If the hearing required by subsection (2) is conducted by a local government, the governing body of the local government shall notify the authority of its determination of whether the financing is in the public interest within 14 days after the

completion of the public hearing.

Renumber: subsequent sections

11. Page 33, line 5.

Strike: "51"

Insert: "77"

12. Page 36, line 14.

Strike: "51"

Insert: "77"

13. Page 43, line 15.

Strike: "51"

Insert: "77"

14. Page 43, line 18.

Strike: "51"

Insert: "77"

15. Page 48, line 11.

Strike: "51"

Insert: "77"

16. Page 49, line 13.

Strike: "51"

Insert: "77"

17. Page 50, line 9.

Strike: "51"

Insert: "77"

18. Page 50, line 20.

Strike: "51"

Insert: "77"

19. Page 51, line 6.

Strike: "51"

Insert: "77"

20. Page 51, line 13.

Strike: "51"

Insert: "77"

21. Page 51, line 15.

Strike: "10"

Insert: "26"

Strike: "11"

Insert: "27"

22. Page 51, line 16.

Strike: "10"

Insert: "26"

Strike: "11"

Insert: "27"

23. Page 51, line 17.

Strike: "14"

Insert: "30"

24. Page 51, line 18.

Strike: "14"

Insert: "30"

25. Page 51, line 19.

Strike: "23"

Insert: "49"

26. Page 51, line 20.

Strike: "23"

Insert: "49"

27. Page 51, line 21.

Strike: "25 AND 26"

Insert: "51 and 52"

28. Page 52, line 1.

Strike: "25 AND 26"

Insert: "51 and 52"

29. Page 52.

Following: line 1

Insert: "(5) [Sections 39 and 40] is intended to be codified as an integral part of Title 17, chapter 5, part 1, and the provisions of Title 17, chapter 5, part 1, apply to [section 39 and 40].

(6) [Sections 41 and 42] are intended to be codified as an integral part of Title 7, chapter 7, part 1, and the provisions of Title 7, chapter 7, part 1, appl to [sections 41 and 42].

(7) [Sections 47 and 48] are intended to be codified as an integral part of Title 90, chapter 7, and the provisions of Title 90, chapter 7, apply to [sections 47 and 48]."

30. Page 52, line 4.

Strike: "2" in both places

Insert: "11" in both places

31. Page 52, line 10.

Strike: "16 AND 18"

Insert: "32 and 34"

32. Page 52, line 13.

Following: "1"

Insert: ", 11"

Following: "through"

Insert: "13,"

Strike: "6" through "29"

Insert: "18, 19, 24, 28, 29, 31 through 38, 50, and 53 through
55"

33. Page 52, line 16.

Strike: "51"

Insert: "77"

34. Page B-7, line 3.

Following: "SECTION"

Strike: "5"

Insert: "18"

35. Page B-7, line 4.

Following: "SECTION"

Strike: "5"

Insert: "18"

36. Page B-7, line 14.

Following: "SECTION"

Strike: "5"

Insert: "18"

37. Page B-7, line 15.

Following: "SECTION"

Strike: "5"

Insert: "18"

38. Page B-8, line 4.

Following: "SECTION" in 2 places

Strike: "5" in both places

Insert: "18" in both places

39. Page E-3, line 2.

Following: "SECTION"

Strike: "5"

Insert: "18"

40. Page E-#, line 3.

Following: "SECTION"

Strike: "5"

Insert: "18"

41. Page E-6, line 14.

Following: "SECTION"

Strike: "5"
Insert: "18"

42. Page E-6, line 15.

Following: "SECTION"

Strike: "5"
Insert: "18"

- END -

Exhibit No. 19Amendments to House Bill No. 645 Date 4-2-09
3rd Reading Copy Bill No. HB 645

Requested by Senator Dave Lewis

For the Senate Finance and Claims Committee

Prepared by Greg Petesch
April 2, 2009 (11:17am)

1. Page 6, line 17.

Strike: "51"

Insert: "53"

2. Page 7, line 14.

Strike: "51"

Insert: "53"

3. Page 33, line 5.

Strike: "51"

Insert: "53"

4. Page 36, line 14.

Strike: "51"

Insert: "53"

5. Page 43, line 15.

Strike: "51"

Insert: "53"

6. Page 43, line 18.

Strike: "51"

Insert: "53"

7. Page 44.

Following: line 3

"NEW SECTION. Section 30. Mortgage loan assistance program. The department of commerce shall develop a mortgage loan program to assist first-time home buyers with down payment and closing costs. The program must provide for lending institutions to make short-term loans of \$5,000 to qualified first-time home buyers. The loans must be paid by June 30, 2010. The department may require the home buyer to pledge federal tax credits to the loan repayment.

Insert: "NEW SECTION. Section 31. Contingent loan acquisition account -- fund transfer. (1) There is a contingent loan acquisition account in the state special revenue fund. The amount of \$2 million is transferred from the state general fund to the account.

(2) The board of housing may use money in the account to

purchase loans made under [section 30] that are not paid by June 30, 2010. Money remaining in the account on August 1, 2010, must revert to the general fund."

Renumber: subsequent sections

8. Page 48, line 11.

Strike: "51"

Insert: "53"

9. Page 49, line 13.

Strike: "51"

Insert: "53"

10. Page 50, line 9.

Strike: "51"

Insert: "53"

11. Page 50, line 20.

Strike: "51"

Insert: "53"

12. Page 51, line 6.

Strike: "51"

Insert: "53"

13. Page 51, line 13.

Strike: "51"

Insert: "53"

14. Page 52, line 13.

Strike: "29"

Insert: "31"

15. Page 52, line 16.

Strike: "51"

Insert: "53"

16. Page A-4.

Following: line 9

Insert: "c. Welcome Home Loan Program 2,000,000" [state special fund FY 10]

- END -

Exhibit No. 2-2Amendments to House Bill No. 645 Date 4-8-09
3rd Reading Copy Bill No. HB 645

Requested by Senator John Brueggeman

For the Senate Finance and Claims Committee

Prepared by Barbara Smith
April 8, 2009 (8:56am)

1. Title, line 16.

Following: "PROGRAM;"**Insert:** "ESTABLISHING THE ENERGY DEVELOPMENT AND DEMONSTRATION
GRANT PROGRAM;"

2. Page 6, line 17.

Strike: "51"**Insert:** "52"

3. Page 7, line 14.

Strike: "51"**Insert:** "52"

4. Page 33, line 5.

Strike: "51"**Insert:** "52"

5. Page 36, line 14.

Strike: "51"**Insert:** "52"

6. Page 43, line 15.

Strike: "51"**Insert:** "52"

7. Page 43, line 18.

Strike: "51"**Insert:** "52"

8. Page 44.

Following: line 3

"NEW SECTION. Section 30. Energy development and demonstration grant program. (1) There is an energy development and demonstration grant program within the department of environmental quality to fund technology development and demonstration:

(a) advancing the development and utilization of energy storage systems, including but not limited to mediums such as accumulators, fuel cells, and batteries, that store energy that can be drawn upon at a later date for use;

(b) developing storage systems specifically designed to store energy generated from eligible renewable resources as defined in 69-3-2003, including but not limited to compressed air energy storage systems;

(c) promoting the efficiency, environmental performance, and cost-competitiveness of energy storage systems beyond the current level of technology; and

(d) advancing the development of alternative energy systems as defined in 15-32-102.

(2) Entities that may be eligible for grants include but are not limited to units of the Montana university system, agricultural research centers, or private entities or research centers.

(3) Money appropriated to the department of environmental quality for the purpose of the energy development and demonstration grant program may be used by the department for providing grants up to \$500,000 and for administrative costs of 1% of the grant award.

(4) The grant application may include:

(a) a project plan sufficient to allow a reasonable determination regarding the potential feasibility of advancing energy storage or alternative energy systems;

(b) a business plan to allow a reasonable determination regarding the financial feasibility of the project; and

(c) a reporting process to ensure progress toward project goals.

Renumber: subsequent sections

9. Page 48, line 11.

Strike: "51"

Insert: "52"

10. Page 49, line 13.

Strike: "51"

Insert: "52"

11. Page 50, line 9.

Strike: "51"

Insert: "52"

12. Page 50, line 20.

Strike: "51"

Insert: "52"

13. Page 51, line 6.

Strike: "51"

Insert: "52"

14. Page 51, line 13.

Strike: "51"

Insert: "52"

15. Page 52.

Following: line 1

Insert: "(5) [Section 30] is intended to be codified as an integral part of Title 90, and the provisions of Title 90 apply to [section 30]."

16. Page C-1.

Following: line 15

Insert: "g. Energy Storage Grant Program 1,000,000 [federal special revenue FY10]"

h. Energy Storage Grant Program Additional Funding (Restricted) 1,000,000 [federal special revenue FY11]"

17. Page C-2.

Following: line 15

Insert: "Energy Storage Grant Program Additional Funding is appropriated only if the federal allocation for the state energy program exceeds \$25.8 million and the excess funding is not restricted to another purpose."

18. Page F-1, line 16.

Strike: "11,000,000" [federal special revenue FY10]

Insert: "10,000,000" [federal special revenue FY10]

19. Page F-1.

Following: line 16

Insert: "f. MUS Energy Conservation Additional Funds (Restricted) 1,000,000 " [federal special revenue FY11]"

20. Page F-5.

Following: line 7

Insert: MUS Energy Conservation Additional Funds is appropriated only if the federal allocation for the state energy program in the department of environmental quality exceeds \$25.8 million and the excess funding is not restricted to another purpose."

- END -

Exhibit No. 21

Date 4-8-09

Amendments to House Bill No. 645 Bill No. HB 645
3rd Reading Copy

Requested by Senator John Esp

For the Senate Finance and Claims Committee

Prepared by Greg Petesch
April 8, 2009 (8:13am)

1. Page 43, line 12.

Following: "BUILDING."

Insert: "The department shall give priority to schools operating
out of temporary facilities because of a calamitous event."

- END -

Exhibit No. 22Date 4Amendments to House Bill No. 645
3rd Reading CopyBill No. HB 645

Requested by Senator Rick Laible

For the Senate Finance and Claims Committee

Prepared by Matthew Stayner
April 6, 2009 (12:28pm)

1. Page A-6.

Following: line 7**Insert:** "The line item for Biomass Energy Study may be used to fund biomass project feasibility studies, installation of biomass energy boilers, or biomass program staff within the department of natural resources and conservation in order to increase biomass utilization accomplishments."

- END -

EXHIBIT No. 2.3

Amendments to House Bill No. 645 Date 4-8-09
3rd Reading Copy

Requested by Senator John Esp

For the Senate Finance and Claims Committee

Prepared by Matthew Stayner
April 8, 2009 (9:58am)

1. Page A-7.

Following: line 11

Insert: "The amount of 2.71% of the appropriation for the line item for Historic Preservation Competitive Grants may be used for administrative expenses to implement the program"

- END -

Explanation - This item is intended to provide the operating expenses necessary for the Department of Commerce to administer the process of receiving and reviewing applications for historic preservation projects, contracting with selected applicants and reporting on the outcomes of those contracts for the appropriation beginning on page A-4, line 16 and continuing on A-5, line 1. This percentage amounts to \$40,650 per year including 0.5 FTE and associated operating expenses.

Exhibit No. 27Date 4-8-09Bill No. HB 675Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Jim Peterson

For the Senate Finance and Claims Committee

Prepared by Barbara Smith
April 8, 2009 (5:47pm)

1. Page A-4.

Following: line 4**Insert:** "e. Montana Agro-Energy Industrial Park (Restricted)
150,000 150,000" [general fund FY 10 and FY 11]

- END -

Explanation - This amendment replaces the appropriation for the Montana Agro-Energy Industrial Park that was removed by amendment 064505.atp

This amendment has not been edited

Exhibit No. 25Date 4.8.09Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Mitch Tropila

For the Senate Finance and Claims Committee

Prepared by Barbara Smith
April 8, 2009 (3:33pm)

1. Page A-3.

Following: line 6**Insert:** "g. Community Service Planning Grant 25,000 " [general fund FY10]

2. Page A-3, line 11

Strike: "500,000" [general fund FY10]**Insert:** "475,000" [general fund FY10]

- END -

Explanation - This amendment provides \$25,000 general fund to the Department of Commerce to provide planning grants to non-profits seeking to streamline operations to maintain jobs and reduce costs.

Exhibit No. 24

Date 7. 8

Amendments to House Bill No. 645
3rd Reading Copy

Bill No. HB 645

Requested by Senator Ryan Zinke

For the Senate Finance and Claims Committee

Prepared by Kris Wilkinson
April 7, 2009 (3:46pm)

1. Page A-7.

Following: line 11

Insert: "Up to \$1,400,000 of the line item for Historic Preservation Competitive Grants may also be used to acquire Native American artifacts or collections of historic significance to the citizens of Montana."

- END -

Explanation - This amendment expands the uses of up to \$1.4 million of the Historic Preservation Competitive Grants to include acquisition of Native American artifacts or collections of significance to Montanans.

Amendments to House Bill No. 645 Date 7-8-09
3rd Reading Copy HB 645

Requested by Senator Dave Lewis

For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck
April 1, 2009 (12:33pm)

1. Page 45, lines 10 through 13.

Following: "APPROPRIATION."

Strike: the remainder of line 10 through (2) on line 13

2. Page B-3, line 12.

Strike: "2,000,000 2,000,000"

[general fund FY10 and FY11]

Insert: "4,650,830 10,333,165"

[general fund FY10 and FY11]

Strike: "8,527 7,980"

[state special fund FY10 and FY11]

Insert: "19,829 41,231"

state special fund FY10 and FY11].

Strike: "3,588,062 3,118,487"

[federal special fund FY10 and FY11]

Insert: "8,343,733 16,111,921"

[federal special fund FY10 and FY11]

3. Page B-5, line 12.

Strike: "25,000,000 35,000,000"

[general fund FY10 and FY11]

Insert: "20,349,170 24,666,835"

[general fund FY10 and FY11]

Strike: "84,361,329 118,105,861"

[federal special fund FY10 and FY11]

Insert: "68,667,322 83,237,079"

[federal special fund FY10 and FY11]

4. Page B-7, line 11.

Following: "INCREASE."

Insert: "Provider Rate Increase may not be used to raise rates paid to providers pursuant to 53-6-125."

- END -

Explanation - This amendment:

>>Funds a 2% annual provider rate increase by shifting \$15.0 million general fund from the \$60.0 million general fund appropriation for Medicaid to provider rates for most all providers

>>Prohibits the rate increase from being applied to rates paid to physicians, psychiatrists, and podiatrists that are annually adjusted based on updated private insurance conversion factors (section 53-6-125 enacted by the 2007 Legislature)

Exhibit No. 25

Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator David Wanzenried

For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck
March 31, 2009 (2:46pm)

1. Page B-8, line 2.

Following: "FUNDING"

Insert: ", but it may not reduce the amount of general fund money appropriated in Provider Rate Increase for either FY 2010 or FY 2011."

- END -

Explanation - This amendment prohibits the general fund reduction due to the enhanced federal Medicaid match rate from being applied to general fund appropriated for provider rate increases. The HB 2 appropriations were based on a 1% rate increase at the unenhanced federal match rate. If the general fund for provider rate increases is not reduced, the funding would be sufficient to fund an additional 0.15% increase.

Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator David Wanzenried

For the Senate Finance and Claims Committee

Prepared by Marilyn Daumiller
April 7, 2009 (3:06pm)

1. Page B-5, line 1.

Strike: "1,265,733 949,981" [federal special funds FY 10 and
FY 11]

Insert: "1,315,737 1,000,000" [federal special funds FY 10 and
FY 11]

2. Page B-5, lines 2 & 3.

Strike: line 2 through line 3 in their entirety

3. Page B-7,

Strike: line 16 in its entirety

- END -

Explanation - This amendment eliminates funding for the
transitions coordinator from House Bill No. 645 because a
restricted, one-time-only appropriation that funds transitions
coordination for the 2011 biennium is provided in House Bill NO.
2.

Exhibit No. 30Date 4-8-09Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator John Brueggeman

For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck

April 8, 2009 (3:25pm)

1. Page B-5, line 12.

Strike: "25,000,000 35,000,000" [general fund FY10 and FY11]**Insert:** "23,084,262 32,553,154" [general fund FY10 and FY11]**Strike:** "84,361,329 118,105,861" [federal special fund FY10 and FY11]**Insert:** "68,667,322 112,330,558" [federal special fund FY10 and FY11]

2. Page B-6, following line 7.

Following: "c. Direct Care Worker Wage Increase -- SLTC Services
(Restricted)

1,915,738 2,446,846" [general fund FY10 and FY11]

"6,210,533 5,775,303" [federal special fund FY10 and FY11]

3. Page B-8, following line 11.

Insert: "Direct Care Worker Wage Increase -- SLTC Services must
be used to raise provider rates for medicaid services to
allow for wage increases or lump-sum payments to workers who
provide direct care and ancillary services."

- END -

Explanation - This amendment shifts \$4.4 million general fund and \$12.0 million federal funds from the appropriation for Medicaid caseload to fund a provider rate increase for Medicaid services administered by the Senior and Long-Term Care Division (e.g. nursing homes, personal assistance) and raise direct care worker wages up to \$1.00 per hour including benefits. The rate increase is appropriated for aging services administered by the Senior and Long-Term Care Division.

Funding	FY 2010	FY 2011
General Fund	\$1,915,738	\$2,446,846
Federal Funds	6,210,533	5,775,303
Total	\$8,126,271	\$8,222,149

Exhibit No. 31

Amendments to House Bill No. 645
3rd Reading Copy

Date 4.1.09

Time 10:45

Requested by Senator Bob Hawks

For the Senate Finance and Claims Committee

Prepared by Kris Wilkinson
April 1, 2009 (9:35am)

1. Page E-1.

Strike: line 4 through line 5 in their entirety**Renumber:** subsequent subsections

2. Page E-1, line 16.

Strike: "35,472,241 [federal special revenue FY10]"**Insert:** "36,708,056 [federal special revenue FY10]"

- END -

Explanation - This amendment eliminates administrative funds from IDEA, Part B in program 6, State Level Activities in the Office of Public Instruction (OPI). The U. S. Department of Education has issued guidance that states are to use funds from their "regular" IDEA, Part B grant award to fund administration. The \$1.2 million eliminated from program 6 is added to program 9, Local Education Activities for distribution to local school districts around Montana.

Exhibit No. 32Date 4-8-09Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Bob Hawks

For the Senate Finance and Claims Committee

Prepared by Kris Wilkinson
April 2, 2009 (8:01am)

1. Page E-1.

Following: line 9**Insert:** "d. Title I-A - FY 2009

415,800 [federal special revenue FY10]

e. McKinney-Vento (Homeless Assistance) -- FY 2010-11

22,400 [federal special revenue FY10]"

2. Page E-1, line 14.

Strike: "34,650,000 [federal special revenue FY10]"**Insert:** "34,234,200 [federal special revenue FY10]"

3. Page E-2, line 8.

Strike: "224,000 [federal special revenue FY10]"**Insert:** "201,600 [federal special revenue FY10]"

- END -

Explanation - Item 1 of this amendment allocates \$415,800 in Title 1 money and \$22,400 of McKinney Vento (Homeless Assistance) to program 6, State Level Activities for additional costs of administering the ARRA funded programs. Item 2 reduces the federal special revenues in Program 9, Local Education Activities by \$415,800 in Title I monies for the administrative costs. Item 3 reduces federal special revenues in Program 9 by \$22,400 in McKinney-Vento (Homeless Assistance) -- FY 2010-11 for the administrative costs.

Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Ken (Kim) Hansen

For the Senate Finance and Claims Committee

Prepared by Pamela Joehler
April 3, 2009 (1:20pm)

1. Page 49, line 1.

Strike: "\$3 million"

Insert: "\$2,376,000"

2. Page E-5.

Following: line 7

Insert: "g. MSU-Northern--Bio-Energy Center

312,000 [FY 2010 General Fund]

312,000 [FY 2011 General Fund]"

Renumber: subsequent subsections

3. Page F-2, line 5.

Strike: "1,500,000 [FY 2010 General Fund]"

Insert: "1,188,000 [FY 2010 General Fund]"

Strike: "1,500,000 [FY 2011 General Fund]"

Insert: "1,188,000 [FY 2011 General Fund]"

- END -

Explanation - This amendment reduces the general fund for the Access Montana project and reallocates it to MSU-Northern for the Bio-Energy Center.

1-Changes the coordination language related to the appropriation for Access Montana related to the changes of the following amendments.

2-Provides an appropriation of \$312,000/FY, \$624,000/Total, for the MSU, Havre BioEnergy Center program.

3-Reduces the Access Montana transfer by \$312,500/FY to fund the BioEnergy Center project.

Bill No. 34

Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Rick Laible

For the Senate Finance and Claims Committee

Prepared by Taryn Purdy
April 8, 2009 (10:29am)

1. Page E-5.

Following: line 7

Insert: "g. 2 Year Education Extension 750,000" [General fund
FY 10]

- END -

Explanation - This amendment adds \$750,000 general fund over the biennium to the Commissioner of Higher Education for implementation of two year higher education extension sites.

Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Gregory Barkus

For the Senate Finance and Claims Committee

Prepared by Jon Moe
April 7, 2009 (2:15pm)

1. Page E-4, line 7.

Strike: "606,189 671,586 [federal funds]"

Insert: "806,189 871,586 [federal funds]"

2. Page F-1, line 6.

Strike: "6,744,914 6,744,914 [federal funds]"

Insert: "6,544,914 6,544,914 [federal funds]"

- END -

Explanation - This amendment reduces the federal funds allocation to HB 5 from HB 645 for the Long-Range Building Program in section F to correspond with a HB 5 amendment that reduces the HB 5 amount for the Simulated Hospital and Child Care center, MSU-Great Falls college of Technology line by \$200,000 federal funds each year. The \$200,000 each year of federal funds are added to the Community College Assistance line in section E.

Bill No. 36
Date 4-8-09
HB 645

Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Gregory Barkus

For the Senate Finance and Claims Committee

Prepared by Jon Moe
April 7, 2009 (2:19pm)

- 1. Page E-6, line 9 through line 10.
Following: "FUND" on line 9
Insert: "and \$400,000 federal funds"
Strike: "DIVIDED" on line 9 through "PROJECTS" on line 10
Insert: "allocated as follows: \$900,000 to Flathead Valley
community college, \$450,000 to Miles community college, and
\$450,000 to Dawson community college"

- END -

Explanation - This amendment would allocate the \$1,800,000 (\$1,400,000 general fund and \$400,000 federal funds) in the Community College Assistance line for the biennium in amounts of \$900,000 to the FVCC, \$450,000 to the MCC, and \$450,000 to the DCC.

Amendments to House Bill No. 645
3rd Reading Copy

Requested by Senator Bob Hawks

For the Senate Finance and Claims Committee

Prepared by Susan Byorth Fox
April 8, 2009 (7:09pm)

1. Title.

Following: line 15

Insert: "AUTHORIZING A SCHOOL DISTRICT LEVY FOR THE OVER-BASE
BUDGET;"

2. Page 12, line 11.

Strike: "23"

Insert: "24"

3. Page 13.

Following: line 5

Insert: "NEW SECTION. Section 8. Over-BASE budget levy. If an appropriation for a 3% increase in the basic entitlement and per-ANB entitlement in each fiscal year is contained in [section 52], then a district may impose an over-BASE budget levy, calculated in accordance with 20-9-141, to fund the over-BASE budget. Districts must comply with voting requirements as provided in 20-9-353. "

Renumber: subsequent sections

4. Page 33, line 5.

Strike: "51"

Insert: "52"

5. Page 36, line 14.

Strike: "51"

Insert: "52"

6. Page 43, line 15.

Strike: "51"

Insert: "52"

7. Page 43, line 18.

Strike: "51"

Insert: "52"

8. Page 48, line 11.

Strike: "51"

Insert: "52"

9. Page 49, line 13.
Strike: "51"
Insert: "52"
10. Page 50, line 9.
Strike: "51"
Insert: "52"
11. Page 50, line 20.
Strike: "51"
Insert: "52"
12. Page 51, line 6.
Strike: "51"
Insert: "52"
13. Page 51, line 13.
Strike: "51"
Insert: "52"
14. Page 51, line 15.
Strike: "10"
Insert: "11"
Strike: "11"
Insert: "12"
15. Page 51, line 16.
Strike: "10"
Insert: "11"
Strike: "11"
Insert: "12"
16. Page 51, line 17.
Strike: "14"
Insert: "15"
17. Page 51, line 18.
Strike: "14"
Insert: "15"
18. Page 51, line 19.
Strike: "23"
Insert: "24"
19. Page 51, line 20.
Strike: "23"
Insert: "24"
20. Page 51, line 21.

Strike: "25 AND 26"

Insert: "26 and 27"

21. Page 52, line 1.

Strike: "25 AND 26"

Insert: "26 and 27"

22. Page 52, line 10.

Strike: "16 AND 18"

Insert: "17 and 19"

23. Page 52, line 13.

Following: "8."

Strike: "12, 13, 15 THROUGH 22, AND 27 THROUGH 29"

Insert: "9, 13, 14, 16 through 23, and 28 through 30"

24. Page 52, line 16.

Strike: "51"

Insert: "52"

- END -

Exhibit No. 35Date 4-5-09Amendments to House Bill No. 645
3rd Reading Copy

For the Senate Finance and Claims Committee

Prepared by Catherine Duncan
April 2, 2009 (4:11pm)

1. Page F-1, line 6.

Strike: "6,744,914 [FY 2010 Federal Special Revenue]"**Insert:** "7,734,914 [FY 2010 Federal Special Revenue]"**Strike:** "6,744,914 [FY 2011 Federal Special Revenue]"**Insert:** "7,734,914 [FY 2011 Federal Special Revenue]"

2. Page F-1, line 12.

Strike: "7,519,000 [FY 2010 Federal Special Revenue]"**Insert:** "6,519,000 [FY 2010 Federal Special Revenue]"**Strike:** "7,519,000 [FY 2011 Federal Special Revenue]"**Insert:** "6,519,000 [FY 2011 Federal Special Revenue]"

- END -

Explanation -

1&2-These amendments correct the improper adjustment of the placement of a new HB 5 project in specific federal fund "silos". The mistake was created when several federal projects were reduced and eliminated in HB 5. Additional actions in HB 5 added a new project of \$2 million. The reductions were removed from the correct fund, but the addition was placed in the improper fund. The total reductions amounted to \$1.98 million and the addition amounted to \$2 million. Item F-1, line 6, was \$1m/FY short and item F-1, line 12, was \$1m/FY high.

These amendments also correct the over appropriation of the federal funds caused in the actions of the House. Amendment 1 is reduced by \$20,000 for the correction. Subsequent actions in HB 5 will complete the corrective actions.

Exhibit No. 34Date 4-8-09Amendments to House Bill No. 645
3rd Reading CopyFile No. HB 645

Requested by Senator John Brueggeman

For the Senate Finance and Claims Committee

Prepared by Catherine Duncan
April 8, 2009 (1:17pm)

1. Page F-3, line 9.

Strike: "1,750,000 1,750,000 [FY 2010 and FY 2011 General Fund]"**Insert:** "3,433,100 3,433,100 [FY 2010 and FY 2011 General Fund]"

- END -

Explanation - This amendment increases the GF transfer to HB 10
to fund the DOR project.



SENATE STANDING COMMITTEE REPORT

April 9, 2009

Page 1 of 41

Mr. President:

We, your committee on **Finance and Claims** recommend that **House Bill 645** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Keith Bales
Senator Keith Bales, Chair

To be carried by Senator John Esp

And, that such amendments read:

1. Title, line 10.

Following: "CYCLE;"

Insert: "CLARIFYING THE PAYMENT OF SCHOOL DISTRICT EMPLOYEE RETIREMENT COSTS FOR THE ENSUING BIENNIUM;"

2. Title, line 16.

Following: "PROGRAM;"

Insert: "PROVIDING FOR THE ALLOCATION AND AUTHORIZATION OF THE TYPES OF BONDS MADE AVAILABLE UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; AUTHORIZING THE MONTANA FACILITY FINANCE AUTHORITY TO FINANCE CERTAIN PROJECTS FOR FOR-PROFIT OR NONPROFIT CORPORATIONS AND ORGANIZATIONS; PROVIDING FOR TAXATION OF THOSE PROJECTS; PROVIDING FOR THE DISTRIBUTION OF FUNDS FOR IMPROVEMENTS FOR SCHOOL FACILITIES; AUTHORIZING A PERMISSIVE SCHOOL LEVY FOR THE BASE BUDGET; AUTHORIZING A SCHOOL DISTRICT LEVY FOR THE OVER-BASE BUDGET; ESTABLISHING THE ENERGY DEVELOPMENT AND DEMONSTRATION GRANT PROGRAM;"

3. Title, line 17.

Following: "2-4-306,"

Insert: "7-7-2255, 7-7-2501, 7-7-4255, 7-7-4421, 7-7-4501, 7-12-2171, 7-15-4290, 7-15-4301, 7-15-4302,"

Following: "17-2-124,"

Committee Vote:

Yes 11, No 8

Fiscal Note Required ☐

Insert: "17-5-504, 17-5-803, 17-5-922, 17-5-1506,"

Following: "17-7-502,"

Insert: "20-9-403, 20-9-433, 20-9-501, 20-25-402,"

4. Title, line 18.

Strike: "AND"

Following: "90-1-204,"

Insert: "90-5-101, 90-5-103, 90-7-102, AND 90-7-104,"

5. Page 3.

Following: line 15

Insert: "**Section 2.** Section 7-7-2255, MCA, is amended to read:

"7-7-2255. Form and execution of bonds. (1) At the time of the sale of the bonds or at a meeting held after the sale, the board of county commissioners shall adopt a resolution providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization bonds or serial bonds, ~~and providing the manner of execution of the bonds, and if applicable, specifying whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45].~~

(2) Each county bond and each coupon attached to the bond must be signed by or bear the facsimile signatures of the presiding officer of the board of county commissioners and the county treasurer and must be attested by the county clerk, provided that one signature of a county official or the bond registrar must be a manual signature. Each bond may have the county seal or its facsimile imprinted on the bond."

Insert: "**Section 3.** Section 7-7-2501, MCA, is amended to read:

"7-7-2501. Authority to issue revenue bonds -- refunding revenue bonds. (1) A county may issue county revenue bonds in the same manner and with the same effect as provided in chapter 7, part 44, of this title for issuance of municipal revenue bonds. County revenue bonds may be issued to finance any project or activity enumerated in chapter 16, part 21, of this title or in Title 75, chapter 10, part 1. Revenue from the project for which the bonds are issued is the only revenue upon which a lien under the provisions of 7-7-4431 may apply. A lien may not attach to other revenue or other property within the county.

(2) A county may refund revenue bonds issued under the authority provided in subsection (1) by the method provided in either part 45 or part 46 of chapter 7.

(3) In construing, for purposes of this section, the provisions of parts 44, 45, or 46 of chapter 7, "municipal" is considered to refer to the county and "governing body" is considered to refer to the board of county commissioners whenever the board of county commissioners is acting pursuant to subsection (1).

(4) If applicable, the county shall specify whether the

bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45]."

Insert: "Section 4. Section 7-7-4255, MCA, is amended to read:

"7-7-4255. Form and execution of bonds. (1) At the time of the sale of the bonds or at a meeting held after the sale, the city or town council shall adopt a resolution providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization or serial bonds, and providing the manner of execution of the bonds, and if applicable, specifying whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45].

(2) Each bond and each coupon attached to a bond must be signed by or bear the facsimile signatures of the mayor and the treasurer of the city or town and must be attested by the city or town clerk, provided that one signature of a city or town official or the bond registrar must be a manual signature. Each bond may have the city or town seal or its facsimile imprinted on the bond."

Insert: "Section 5. Section 7-7-4421, MCA, is amended to read:

"7-7-4421. Authority to issue revenue bonds. (1) In addition to the powers ~~which that~~ it may now have, any municipality ~~shall have~~ has power under this part to:

~~(1)(a)~~ (a) issue its bonds to finance in whole or in part the cost of the acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of any undertaking;

~~(2)(b)~~ (b) pledge to the punctual payment of ~~said the~~ bonds issued under ~~this part or part 45 or this part~~ and interest ~~thereon on the bonds~~ an amount of the ~~revenues~~ revenue of ~~such the~~ undertaking, ~~(including improvements, betterments, or extensions thereto thereafter constructed or acquired),~~ or of any part of ~~such the~~ undertaking sufficient to pay ~~said the~~ bonds and interest as ~~the same shall become~~ they become due, with ~~such an~~ amount consisting of all or any part or portion of ~~such the~~ revenue, and create and maintain reasonable reserves ~~therefor for~~ the bonds.

(2) If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45]."

Insert: "Section 6. Section 7-7-4501, MCA, is amended to read:

"7-7-4501. Authority to issue refunding revenue bonds. (1) In addition to the powers ~~which that~~ it ~~now~~ may have, any municipality ~~shall have~~ has the power under this part to refund bonds issued for any of the purposes listed in 7-7-4421(1) (a), whether issued under authority of part 45 or of any other

applicable law.

(2) Refunding revenue bonds issued as authorized in this section ~~shall be~~ are governed by all of the provisions of part 44, except 7-7-4433 and 7-7-4434, as fully as bonds issued for the initial financing of any undertaking and by the further provisions of this part.

(3) Bonds may be issued to refund interest as well as principal actually due and payable if the ~~revenues~~ revenue pledged ~~therefor are~~ is not sufficient, but not to refund any bonds or interest due ~~which can~~ that may be paid from ~~revenues~~ revenue then on hand.""

Insert: "Section 7. Section 7-12-2171, MCA, is amended to read:

"7-12-2171. Details relating to rural improvement district bonds and warrants. (1) (a) The bonds and warrants must be drawn against either the construction or maintenance fund created for the special improvement district and must bear interest from the date of registration until called for redemption or paid in full. Bonds or warrants sold at a private, negotiated sale may bear interest at a rate varying periodically at the time or times and on the terms determined by the board of county commissioners. The terms determined by the board of county commissioners may include the establishment of a maximum rate of interest or the convertibility to a fixed rate of interest.

(b) Variable rate bonds may be sold at a private negotiated sale if the principal amount of the bonds is \$500,000 or less and the board of county commissioners obtains separate written opinions from underwriters of Montana rural improvement district bonds stating the bonds are not marketable through a competitive bond sale. Bonds sold in principal amounts below \$250,000 do not require a marketability opinion.

(c) The interest must be payable annually or semiannually, at the discretion of the board of county commissioners, on the dates that the board prescribes. The warrants or bonds must bear the signatures of the presiding officer of the board and the county clerk and may bear the corporate seal of the county. The warrants or bonds must be registered in the office of the county clerk and the county treasurer, and if interest coupons are attached to the warrants or bonds, the interest coupons must also be registered and must bear the signatures of the presiding officer of the board and the county clerk. The coupons may bear the facsimile signatures of the officers in the discretion of the board.

(2) The bonds must be in denominations of \$100 or fractions or multiples of \$100, may be issued in installments, and may extend over a period not to exceed 30 years. However, if federal loans are available for improvements, repayment may extend over a period not to exceed 40 years. For the purposes of this subsection, the term of a bond issue commences on July 1 of the fiscal year in which the county first levies to pay principal and interest on the bonds.

(3) If applicable, the board of county commissioners shall specify whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45]."

Insert: "Section 8. Section 7-15-4290, MCA, is amended to read:

"7-15-4290. Use of property taxes and other revenue for payment of bonds. (1) (a) The tax increment derived from an urban renewal area may be pledged for the payment of revenue bonds issued for urban renewal projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay urban renewal costs described in 7-15-4288 and 7-15-4289.

(b) The tax increment derived from an industrial district may be pledged for the payment of revenue bonds issued for industrial infrastructure development projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay industrial district costs described in 7-15-4288 and 7-15-4289.

(c) The tax increment derived from a technology district may be pledged for the payment of revenue bonds issued for technology infrastructure development projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay technology district costs described in 7-15-4288 and 7-15-4289.

(2) A municipality issuing bonds pursuant to subsection (1) may, by resolution of its governing body, enter into a covenant for the security of the bondholders, detailing the calculation and adjustment of the tax increment and the taxable value on which it is based and, after a public hearing, pledging or appropriating other revenue of the municipality, except property taxes prohibited by subsection (3), to the payment of the bonds if collections of the tax increment are insufficient.

(3) Property taxes, except the tax increment derived from property within the area or district and tax collections used to pay for services provided to the municipality by a project, may not be applied to the payment of bonds issued pursuant to 7-15-4301 for which a tax increment has been pledged.

(4) If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45]."

Insert: "Section 9. Section 7-15-4301, MCA, is amended to read:

"7-15-4301. Authorization to issue urban renewal bonds, industrial infrastructure development bonds, aerospace transportation and technology infrastructure development bonds, technology infrastructure development bonds, and refunding bonds.

(1) A municipality may:

(a) issue bonds from time to time, in its discretion, to

finance the undertaking of any urban renewal project, industrial infrastructure development project, aerospace transportation and technology infrastructure development project, or technology infrastructure development project under part 42 and this part, including, without limiting the generality of projects, the payment of principal and interest upon any advances for surveys and plans for the projects; and

(b) issue refunding bonds for the payment or retirement of bonds previously issued by it.

(2) The bonds may not pledge the general credit of the municipality and must be made payable, as to both principal and interest, solely from the income, proceeds, revenue, and funds of the municipality derived from or held in connection with its undertaking and carrying out of urban renewal projects, industrial infrastructure development projects, aerospace transportation and technology infrastructure development projects, or technology infrastructure development projects under part 42 and this part, including the tax increment received and pledged by the municipality pursuant to 7-15-4282 through 7-15-4292, and, if the income, proceeds, revenue, and funds of the municipality are insufficient for the payment, from other revenue of the municipality pledged to the payment. Payment of the bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source in aid of any urban renewal projects, industrial infrastructure development projects, aerospace transportation and technology infrastructure development projects, or technology infrastructure development projects of the municipality under part 42 and this part or by a mortgage on all or part of any projects.

(3) Bonds issued under this section must be authorized by resolution or ordinance of the local governing body.

(4) If applicable, the governing body of the municipality shall specify whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45]."

Insert: "Section 10. Section 7-15-4302, MCA, is amended to read:

"7-15-4302. Authorization to issue general obligation bonds. (1) For the purpose of 7-15-4267 or for the purpose of aiding in the planning, undertaking, or carrying out of an urban renewal project or an industrial infrastructure development project of a municipality, the municipality, in addition to any authority to issue bonds pursuant to 7-15-4301, may issue and sell its general obligation bonds.

(2) Any bonds issued pursuant to this section ~~shall~~ must be issued in the manner and within the limitations prescribed by the laws of this state for the issuance and authorization of bonds by ~~such the~~ municipality for public purposes generally.

(3) Aiding in the planning, undertaking, or carrying out of

an approved urban renewal project or an industrial infrastructure development project is considered a single purpose for the issuance of general obligation bonds, and the proceeds of the bonds authorized for any ~~such~~ project may be used to finance the exercise of any and all powers conferred upon the municipality by ~~this part and part 42 which and this part that~~ are necessary or proper to complete the project in accordance with the approved plan or industrial district ordinance and any modification thereof of the plan duly adopted by the local governing body.

(4) If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45]."

Renumber: subsequent sections

6. Page 6, line 1.

Insert: "Section 14. Section 17-5-504, MCA, is amended to read:

"17-5-504. Forms, interest, and maturity. Such General obligation highway bonds shall must be issued by the board, upon request of the department of administration, in such the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with such provisions for conversion or exchange and for the issuance of notes in anticipation of the execution and delivery of definitive bonds, bearing interest, maturing at such times not exceeding 20 years from the date of issue, subject to redemption at such earlier times and prices and upon such notice, and payable at the office of such the fiscal agent of the state, as that the board shall determine, subject to the limitations contained herein in this part. If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 43]."

Insert: "Section 15. Section 17-5-803, MCA, is amended to read:

"17-5-803. Form -- principal and interest -- fiscal agent -- bond registrar and transfer agent -- deposit of proceeds. (1) Subject to the limitations contained in this part and in the bond act and in the furtherance of each bond act, bonds may be issued by the board upon request of the department. The bonds may be issued in the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with provisions for conversion or exchange, and for the issuance of temporary bonds bearing interest at a rate or rates, maturing at times not exceeding 30 years from date of issue, subject to redemption at earlier times and prices and on notice, and payable at the office of the fiscal agency of the state as the board determines.

(2) In all other respects, the board is authorized to prescribe the form and terms of the bonds and do whatever is lawful and necessary for their issuance and payment. Action taken by the board under this part must be by a majority vote of its

members. The state treasurer shall keep a record of all bonds issued and sold.

(3) The board is authorized to employ a fiscal agent and a bond registrar and transfer agent to assist in the performance of its duties under this part.

(4) The board, in its discretion, is authorized to pay all costs of issuance of bonds, including without limitation rating agency fees, printing costs, legal fees, bank or trust company fees, costs to employ persons or firms to assist in the sale of the bonds, line of credit fees and charges, and all other amounts related to the costs of issuing the bonds from amounts available for these purposes in the general fund or from the proceeds of the bonds.

(5) All proceeds of bonds and notes issued under this part must be deposited in the capital projects account, except that any premiums and accrued interest received and the proceeds of refunding bonds or notes must be deposited in the debt service account.

(6) If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 43]."

Insert: "Section 16. Section 17-5-922, MCA, is amended to read:

"17-5-922. Form -- principal and interest -- fiscal agent -- bonds authorized. (1) Each series of bonds may be issued by the board at public or private sale, in ~~such the~~ denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with ~~such~~ provisions for the conversion or exchange, bearing interest at ~~such the~~ rate or rates or the method of determining ~~such the~~ rate or rates, maturing at ~~such~~ times, not more than 40 years from date of issue, subject to redemption at ~~such~~ earlier times and prices and upon ~~such~~ notice, and payable at the office of a fiscal agency of the state ~~as that~~ the board shall determine, subject to the limitations contained in this part. Any action taken by the board under this part must be approved by at least a majority vote of its members.

(2) In all other respects the board is authorized to prescribe the form and terms of the bonds and shall do whatever is lawful and necessary for their issuance and payment.

(3) Bonds and any interest coupons appurtenant ~~thereto to~~ the bonds must be signed by the members of the board, and the bonds must be issued under the great seal of the state of Montana. The bonds and coupons may be executed with facsimile signatures and seal in the manner and subject to the limitations prescribed by law. The state treasurer shall keep a record of all ~~such~~ bonds issued and sold.

(4) The board may employ a fiscal agent and a bond registrar and transfer agent to assist in the performance of its duties under this part.

(5) In connection with the issuance and sale of bonds, the board may arrange for lines of credit or letters of credit with any bank, firm, or person for the purpose of providing an

additional source of repayment for bonds issued pursuant to this part. Amounts drawn on ~~such~~ lines of credit may be evidenced by negotiable or nonnegotiable notes or other evidences of indebtedness, containing ~~such~~ terms and conditions as that the board may authorize in the resolution approving the ~~same notes or evidences of indebtedness~~.

(6) ~~No~~ Not more than \$150 million of bonds issued under this part may be outstanding at any time. ~~No additional~~ Additional bonds, other than refunding bonds, may not be issued until the pledge in favor of the highway revenue bonds is satisfied and discharged.

(7) If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 43]."

Insert: "Section 17. Section 17-5-1506, MCA, is amended to read:

"17-5-1506. Bonds and notes for projects and major projects. (1) The board may by resolution issue negotiable notes and bonds in a principal amount as that the board determines necessary to provide sufficient funds for achieving any of its purposes, including the payment of interest on notes and bonds of the board, establishment of reserves to secure the notes and bonds, including the reserve funds created under 17-5-1515, and all other expenditures of the board incident to and necessary or convenient to carry out this part.

(2) The board may by resolution, from time to time, issue notes to renew notes and bonds or to pay notes, including interest, and whenever it considers refunding expedient, refund any bonds by the issuance of new bonds, whether or not the bonds to be refunded have matured, or issue bonds partly to refund bonds outstanding and partly for any of its other purposes.

(3) Except as otherwise expressly provided by resolution of the board, every issue of its bonds is an obligation of the board payable out of any revenue, assets, or money of the board, subject only to agreements with the holders of particular notes or bonds pledging particular ~~revenues~~ revenue, assets, or money.

(4) The notes and bonds must be authorized by resolutions of the board, bear a date, and mature at the times the resolutions provide. A note may not mature more than 5 years from the date of its issue. A bond may not mature more than 40 years from the date of its issue. The bonds may be issued as serial bonds payable in annual installments, as term bonds, or as a combination ~~thereof~~ of serial and term bonds. The notes and bonds must bear interest at a stated rate or rates or at a rate or rate determination as stated, be in denominations, be in a form, either coupon or registered, carry registration privileges, be executed in a manner, be payable in a medium of payment, at places inside or outside the state, and be subject to terms of redemption as provided in resolutions. The notes and bonds of the board may be sold at public or private sale, at prices above or below par, as determined by the board, and in a manner ~~such~~ that interest on the bonds is either exempt from or subject to federal income tax. If applicable, the board shall specify whether the

bonds are tax credit bonds as provided in [section 43].

(5) The bonds issued under this part are exempt from the Montana Securities Act, but copies of all prospectus and disclosure documents must be deposited with the state securities commissioner for public inspection.

(6) The total amount of bonds secured under 17-5-1515 outstanding at any one time, except bonds as to which the board's obligations have been satisfied and discharged by refunding or bonds for which reserves for payment or other means of payment have been provided, may not exceed \$100 million.""

Renumber: subsequent sections

7. Page 6, line 17.

Strike: "51"

Insert: "81"

8. Page 7, line 14.

Strike: "51"

Insert: "81"

9. Page 12, line 11.

Strike: "23"

Insert: "52"

10. Page 13.

Following: line 5

Insert: "**Section 21.** Section 20-9-403, MCA, is amended to read:

"**20-9-403. Bond issues for certain purposes.** (1) The trustees of a school district may issue and negotiate general obligation bonds or impact aid bonds of the school district for the purpose of:

(a) building, altering, repairing, buying, furnishing, equipping, purchasing lands for, or obtaining a water supply for a school, teacherage, dormitory, gymnasium, other building, or combination of buildings for school purposes;

(b) buying a school bus or buses;

(c) providing the necessary money to redeem matured bonds, maturing bonds, or coupons appurtenant to bonds when there is not sufficient money to redeem them;

(d) providing the necessary money to redeem optional or redeemable bonds when it is for the best interest of the school district to issue refunding bonds;

(e) funding a judgment against the district, including the repayment of tax protests lost by the district; or

(f) funding a debt service reserve account that may be required for impact aid revenue bonds.

(2) Money realized from the sale of bonds issued on the credit of a high school district may not be used for any of the purposes listed in subsection (1) in an elementary school district, and the money may be used for any of the purposes

listed in subsection (1) for a junior high school but only to the extent that the 9th grade of the high school is served.

(3) If applicable, the trustees shall specify whether the bonds are qualified school construction bonds as described in [section 42(1)] or tax credit bonds as provided in [section 43]."

Insert: "Section 22. Section 20-9-433, MCA, is amended to read:

"20-9-433. Form and execution of school district bonds. (1)

At the time of the sale of the bonds or at a meeting held after the sale, the trustees shall adopt a resolution or indenture of trust providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization or serial bonds, and prescribing the manner of execution of the bonds. If applicable, the trustees shall specify whether the bonds are qualified school construction bonds as described in [section 42(1)] or tax credit bonds as provided in [section 43].

(2) Each bond and coupon attached to a bond must be signed by or bear the facsimile signatures of the presiding officer of the trustees and the school district clerk, provided that one signature of a school official or the bond registrar must be a manual signature."

Insert: "Section 23. Section 20-9-501, MCA, is amended to read:

"20-9-501. Retirement costs and retirement fund. (1) The trustees of a district or the management board of a cooperative employing personnel who are members of the teachers' retirement system or the public employees' retirement system, who are covered by unemployment insurance, or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the employer's contributions to the systems as provided in subsection (2)(a). The district's or the cooperative's contribution for each employee who is a member of the teachers' retirement system must be calculated in accordance with Title 19, chapter 20, part 6. The district's or the cooperative's contribution for each employee who is a member of the public employees' retirement system must be calculated in accordance with 19-3-316. The district's or the cooperative's contributions for each employee covered by any federal social security system must be paid in accordance with federal law and regulation. The district's or the cooperative's contribution for each employee who is covered by unemployment insurance must be paid in accordance with Title 39, chapter 51, part 11.

(2) (a) The district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the retirement fund for the following:

(i) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from state or local funding sources;

(ii) a cooperative employee whose salary and health-related benefits, if any health-related benefits are provided to the

employee, are paid from the cooperative's interlocal cooperative fund if the fund is supported solely from districts' general funds and state special education allowable cost payments, pursuant to 20-9-321, or are paid from the miscellaneous programs fund, provided for in 20-9-507, from money received from the medicaid program, pursuant to 53-6-101;

(iii) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the district's school food services fund provided for in 20-10-204; and

(iv) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the district impact aid fund, pursuant to 20-9-514; and

(v) for the 2011 biennium only, a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are budgeted in the district general fund but are paid from state fiscal stabilization funds received pursuant the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(b) For an employee whose benefits are not paid from the retirement fund, the district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the funding source that pays the employee's salary.

(3) The trustees of a district required to make a contribution to a system referred to in subsection (1) shall include in the retirement fund of the final budget the estimated amount of the employer's contribution. After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to the systems in accordance with the financial administration provisions of this title.

(4) When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:

(a) determining the sum of the money available to reduce the retirement fund levy requirement by adding:

(i) any anticipated money that may be realized in the retirement fund during the ensuing school fiscal year;

(ii) oil and natural gas production taxes;

(iii) coal gross proceeds taxes under 15-23-703;

(iv) countywide school retirement block grants distributed under 20-9-631;

(v) any fund balance available for reappropriation as determined by subtracting the amount of the end-of-the-year fund balance earmarked as the retirement fund operating reserve for the ensuing school fiscal year by the trustees from the end-of-the-year fund balance in the retirement fund. The retirement fund operating reserve may not be more than 35% of the final retirement fund budget for the ensuing school fiscal year and must be used for the purpose of paying retirement fund

warrants issued by the district under the final retirement fund budget.

(vi) any other revenue anticipated that may be realized in the retirement fund during the ensuing school fiscal year, excluding any guaranteed tax base aid.

(b) notwithstanding the provisions of subsection (9), subtracting the money available for reduction of the levy requirement, as determined in subsection (4)(a), from the budgeted amount for expenditures in the final retirement fund budget.

(5) The county superintendent shall:

(a) total the net retirement fund levy requirements separately for all elementary school districts, all high school districts, and all community college districts of the county, including any prorated joint district or special education cooperative agreement levy requirements; and

(b) report each levy requirement to the county commissioners on the fourth Monday of August as the respective county levy requirements for elementary district, high school district, and community college district retirement funds.

(6) The county commissioners shall fix and set the county levy or district levy in accordance with 20-9-142.

(7) The net retirement fund levy requirement for a joint elementary district or a joint high school district must be prorated to each county in which a part of the district is located in the same proportion as the district ANB of the joint district is distributed by pupil residence in each county. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county as provided in 20-9-151.

(8) The net retirement fund levy requirement for districts that are members of special education cooperative agreements must be prorated to each county in which the district is located in the same proportion as the special education cooperative budget is prorated to the member school districts. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county in the same manner as provided in 20-9-151, and the county commissioners shall fix and levy the net retirement fund levy for each county in the same manner as provided in 20-9-152.

(9) The county superintendent shall calculate the number of mills to be levied on the taxable property in the county to finance the retirement fund net levy requirement by dividing the amount determined in subsection (5)(a) by the sum of:

(a) the amount of guaranteed tax base aid that the county will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the taxable valuation of the district divided by 1,000.

(10) The levy for a community college district may be applied only to property within the district.

(11) The county superintendent of each county shall submit a

report of the revenue amounts used to establish the levy requirements for county school funds supporting elementary and high school district retirement obligations to the superintendent of public instruction not later than the second Monday in September. The report must be completed on forms supplied by the superintendent of public instruction."

Insert: "NEW SECTION. Section 24. Permissive levy. If an appropriation for a 3% increase in the basic entitlement and per-ANB entitlement in each fiscal year is contained in [section 81], then a school district may impose a permissive levy, calculated in accordance with 20-9-141, to fund the local share of the BASE budget."

"NEW SECTION. Section 25. Over-BASE budget levy. If an appropriation for a 3% increase in the basic entitlement and per-ANB entitlement in each fiscal year is contained in [section 81], then a district may impose an over-BASE budget levy, calculated in accordance with 20-9-141, to fund the over-BASE budget. Districts shall comply with voting requirements as provided in 20-9-353.

Insert: "Section 26. Section 20-25-402, MCA, is amended to read:

"20-25-402. **Borrowing by regents.** (1) In carrying out the powers provided in 20-25-107, 20-25-301, and 20-25-302, the regents may:

~~(1)~~ (a) borrow money for any purpose or purposes stated in parts 3 and 4 of this chapter, including, if considered desirable by the regents, the payment of interest on the money borrowed for a facility during the construction ~~thereof~~ of the facility and for 1 year ~~thereafter~~ after construction and the creation of a reserve for the payment of bond principal and interest;

~~(2)~~ (b) make purchases on a time or installment basis;

~~(3)~~ (c) issue bonds, notes, and other securities, negotiable or otherwise, secured as provided in this section, including bearer bonds with appurtenant interest coupons, which ~~shall~~ must be fully negotiable notwithstanding any limitation on the source of payment ~~thereof~~ of the bonds, notes, or securities, or fully registered bonds or bonds registered as to ownership of principal only;

~~(4)~~ (d) pledge for the payment of the purchase price of any facility or of the principal and interest on bonds, notes, or other securities authorized in this chapter or otherwise obligate:

~~(a)~~ (i) the net income received from rents, board, or both in housing, food service, and other facilities;

~~(b)~~ (ii) receipts from student building, activity, union, and other special fees prescribed by the regents for all students; and

~~(c)~~ (iii) (A) other income in the form of gifts, bequests, contributions, or federal grants of funds, including the proceeds or income from grants of lands or other real or personal property;

(B) receipts from athletic and other contests, exhibitions,

and performances; and

(C) collections of admissions and other charges for the use of facilities, including all use by other persons, firms, and corporations for athletic and other contests, exhibitions, and performances and for the conduct of their business, educational, or governmental functions;

(5)(e) make payments on loans or purchases from any other available income not obligated for those purposes, including receipts from sale of materials, equipment, and fixtures of the facilities or from sales of the facilities themselves, other than land;

(6)(f) secure any bonds authorized ~~hereunder~~ under this section by a trust indenture between the regents and any bank or trust company within or ~~without~~ outside of the state of Montana or by a resolution establishing covenants of the regents with the holders of ~~such the~~ bonds relating to:

(a)(i) the construction, operation, use, and insurance of the facilities;

(b)(ii) the segregation, expenditure, and audit of accounts of the bond proceeds and of the income pledged;

(c)(iii) the establishment and collection of rents, charges, admissions, and fees sufficient to provide net income adequate for prompt payment of principal and interest on bonds and creation and maintenance of reserves for that purpose; and

(d)(iv) ~~such~~ other matters as that the regents may determine to be necessary or desirable for the security and marketability of the bonds;

(7)(g) subject to the following provisions, issue and sell or exchange bonds, secured as provided in this section, for the refunding of any outstanding bonds or other obligations issued by the regents ~~before or after January 29, 1971, subject to the following provisions:~~

(a)(i) refunding bonds may, with the consent of the holders of the bonds to be refunded ~~thereby~~, be exchanged at par plus accrued interest for all or part of ~~such the~~ bonds or may be sold at a price not less than par plus accrued interest. They may be secured by a pledge of the same revenue as the bonds refunded or by a pledge of different or additional revenues received at the same unit of the university. ~~Nothing herein shall~~ This subsection (1)(g) may not require the holder of any outstanding bond to accept payment ~~thereof of the bond~~ or the delivery of a refunding bond in exchange ~~therefor for the bond~~, except in accordance with the terms of the outstanding bond. Bonds may be issued to refund interest as well as principal actually due and payable if the ~~revenues revenue~~ pledged therefor for the bonds are not sufficient, but not to refund any bonds or interest due ~~which that~~ can be paid from ~~revenues revenue~~ then on hand.

(b)(ii) refunding bonds may bear interest at a rate lower or higher than the bonds refunded ~~thereby~~ by the refunding bonds if they are issued to refund matured principal or interest for the payment of which ~~revenues revenue~~ on hand ~~are is~~ not

sufficient ~~or if they are issued to refund before maturity bonds issued before January 1, 1965,~~ for the purpose of releasing ~~revenues~~ revenue required for payment of the outstanding bonds permitting the pledge ~~thereof~~ of the revenue for the security of other bonds as well as the refunding bonds, subject to the rights of the holders of the outstanding bonds until those bonds are fully paid and redeemed. Except as authorized in the preceding sentence, refunding bonds ~~shall~~ may not be issued unless their average annual interest rate, computed to their stated maturity dates and excluding any premium from ~~such~~ the computation, is at least 3/8 of 1% less than the average annual interest rate on the bonds refunded ~~thereby~~, computed to their respective stated maturity dates.

~~(c)~~ (iii) in any case ~~where~~ in which refunding bonds are issued and sold 6 months or more before the earliest date on which all bonds refunded ~~thereby~~ by the refunding bonds mature or are prepayable in accordance with their terms, the proceeds of the refunding bonds, including any premium and accrued interest, ~~shall~~ must be deposited in escrow with a suitable bank or trust company having its principal place of business within or ~~without~~ outside of the state, which is a member of the federal reserve system and has a combined capital and surplus of not less than \$1 million, and ~~shall~~ must be invested in the amount and in securities maturing on the dates and bearing interest at the rates ~~which~~ that will be required to provide funds sufficient to pay when due the interest to accrue on each bond refunded to its maturity or, if it is prepayable, to the earliest prior date upon which the bond may be called for redemption from the proceeds of the refunding bonds and to pay and redeem the principal amount of each bond at maturity or, if prepayable, on that redemption date and any premium required for redemption on that date. The resolution or indenture authorizing the refunding bonds ~~shall~~ must irrevocably appropriate for these purposes the escrow fund and all income ~~therefrom~~ from the escrow fund and ~~shall~~ must provide for the call of all prepayable bonds in accordance with their terms. The securities to be purchased with ~~such~~ the escrow funds ~~shall~~ must be limited to general obligations of the United States, securities ~~whose~~ for which principal and interest payments are guaranteed by the United States, and securities issued by the following United States government agencies, including only banks for cooperatives, federal home loan banks, federal intermediate credit banks, federal land banks, and the federal national mortgage association. The securities ~~shall~~ must be purchased simultaneously with the delivery of the refunding bonds.

~~(d)~~ (iv) ~~revenues~~ revenue or other funds on hand, in excess of the amount pledged by resolutions or indentures authorizing outstanding bonds for the payment of principal and interest currently due ~~thereon~~ on the outstanding bonds and reserves securing ~~such~~ the payment, may be used to pay the expenses incurred by the regents for the purpose of refunding, including

but without limitation the cost of advertising and printing refunding bonds, legal and financial advice and assistance in connection ~~therewith~~ with refunding the bonds, and the reasonable and customary charges of escrow agents and paying agents. ~~Revenues~~ Revenue and other funds on hand, including reserves pledged for the payment and security of outstanding revenue bonds, may be deposited in an escrow fund created for the retirement of those bonds and may be invested and disbursed as provided in subsection ~~(7)(c)~~ hereof (1)(g)(iii) to the extent consistent with the resolutions or indentures authorizing ~~such~~ the outstanding bonds.

~~(8)(h)~~ sell bonds and sell or exchange refunding bonds issued hereunder under this section in the manner and upon the terms as to maturities, interest rates, and redemption privileges and for the price that the regents determine with the approval of the department of administration.

(2) If applicable, the regents shall specify whether the bonds issued under this section are tax credit bonds as provided in [section 43]."

Renumber: subsequent sections

11. Page 30, line 19.

Strike: "specifically authorized"

Insert: "funded"

12. Page 30, line 21.

Strike: "specifically authorized"

Insert: "funded"

13. Page 31, line 2.

Strike: "specifically authorized"

Insert: "funded"

14. Page 31, line 4.

Strike: "specifically authorized"

Insert: "funded"

15. Page 31, line 6.

Strike: "specifically authorized"

Insert: "funded"

16. Page 31, line 8.

Strike: "specifically authorized"

Insert: "funded"

17. Page 31.

Following: line 9

Insert: "NEW SECTION. Section 42. Allocation of bonding limits -- American Recovery and Reinvestment Act of 2009. Unless the regulations adopted by the United States secretary of the

treasury specify otherwise:

(1) the office of public instruction is responsible for allocating the state's share of qualified school construction bonds as authorized in section 1521 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the state's allocated share of qualified zone academy bonds as authorized in section 54E of the Internal Revenue Code, 26 U.S.C. 54E;

(2) the department of administration is responsible for allocating the state's share of qualified energy conservation bonds as authorized in section 54D of the Internal Revenue Code 26 U.S.C. 54D, as amended by section 1112 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5; and

(3) the department of administration, in consultation with the department of commerce, is responsible for allocating the state's share of recovery zone economic development bonds and recovery zone facility bonds, as authorized in section 1401 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

Insert: "NEW SECTION. Section 43. Tax credit bonds. (1) As used in this section, "tax credit bond" means any general obligation bond, impact aid revenue bond, special improvement district bond, revenue bond, industrial development bond, tax increment bond, or any other bond of the state or a political subdivision that has been duly authorized and is eligible for designation as and has been designated as a qualified tax credit bond under section 54A, section 54D, section 54E, section 54F, or section 54AA of the Internal Revenue Code, 26 U.S.C. 54A, 54D, 54E, 54F, or 54AA.

(2) Any bond issued as a tax credit bond may be issued and sold at public or private sale, may be payable and mature as to principal and interest, if any, on any date or dates, may be subject to redemption in whole or in part as determined by the governing body of the issuer, and may have other terms and conditions that the issuer considers to be necessary and appropriate.

(3) The governing body of the issuer of any tax credit bond is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bond, including investment of funds and accounts to repay the bond."

Insert: "NEW SECTION. Section 44. Recovery zone economic development bonds and recovery zone facility bonds. (1) Subject to the conditions and provisions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the availability of allocation as determined in [section 42], cities and counties are authorized to designate economic recovery zones and issue recovery zone economic development bonds and recovery zone facility bonds to finance the costs of recovery zone projects and facilities eligible under the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The bonds must be authorized by the governing body of

the city or county in accordance with the applicable provisions of Montana law, unless otherwise provided in [section 43]. The governing body is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bonds, subject to the following limitations:

(a) if the bonds that are issued under this section pledge the city's or county's credit or taxing power, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 22 or 42, as appropriate;

(b) if the bonds are payable from and secured solely by the revenue from a governmentally owned and operated facility or undertaking, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 44;

(c) if the bonds are payable from special assessments levied against benefited property, the project must be eligible for special assessment financing and must be authorized in accordance with the provisions of Title 7, chapter 12, part 21 or parts 41 and 42, as appropriate;

(d) if the bonds are payable from tax increment revenue, the project to be financed must be eligible for tax increment financing and the project must be approved and the bonds must be authorized in accordance with the provisions of Title 7, chapter 15, parts 42 and 43;

(e) if the bonds are industrial development revenue bonds of the issuer, the bonds must be authorized in accordance with the provisions of Title 90, chapter 5, part 1."

"NEW SECTION. Section 45. Qualified energy conservation bonds. (1) Subject to the conditions and provisions contained in section 54D of the Internal Revenue Code, 26 U.S.C. 54D, as amended by the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the availability of an allocation, cities and counties are authorized to issue qualified energy conservation bonds to finance projects for qualified energy conservation purposes and are authorized to undertake the qualified energy conservation purposes and programs within the meaning of the section 54D of the Internal Revenue Code, 26 U.S.C. 54D, as amended by the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The bonds must be authorized by the governing body of the city or county in accordance with the provisions of applicable Montana law, except as otherwise provided in [section 43]. The governing body is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bonds, subject to the following limitations:

(a) if the bonds that are to be issued under this section pledge the city's or county's credit or taxing power, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 22 or 42, as appropriate;

(b) if the bonds to be issued under this section are payable from and secured solely by the revenue derived or generated from a qualified energy conservation program or project, they must be

authorized in accordance with the provisions of Title 7, chapter 7, part 44;

(c) if the bonds are payable from special assessments levied against benefited property, the project must be eligible for special assessment financing and must be authorized in accordance with the provisions of Title 7, chapter 12, part 21 or parts 41 and 42, as appropriate;

(d) if the bonds are payable from tax increment revenue, the project to be financed must be eligible for tax increment financing and the project must be approved and the bonds must be authorized in accordance with the provisions of Title 7, chapter 15, parts 42 and 43;

(e) if the bonds are industrial development revenue bonds of the issuer, the bonds must be authorized in accordance with the provisions of Title 90, chapter 5, part 1.

Insert: "Section 46. Section 90-5-101, MCA, is amended to read:

"90-5-101. Definitions. As used in this part, unless the context otherwise requires, the following definitions apply:

(1) "Agricultural enterprises" includes but is not limited to producing, warehousing, storing, fattening, treating, handling, distributing, or selling farm products or livestock.

(2) "Bonds" means bonds, refunding bonds, notes, or other obligations issued by a municipality or county under the authority of this part, including without limitation short-term bonds or notes issued in anticipation of the issuance of long-term bonds or notes.

(3) "Electric energy generation facility" means any combination of a physically connected generator or generators, associated prime movers, and other associated property and transmission facilities and upgrades and improvements of transmission facilities, including appurtenant land and improvements and personal property, that are normally operated together to produce and transfer electric power. The term includes but is not limited to generating facilities that produce and transfer electricity from coal-fired steam turbines, oil or gas turbines, wind turbines, solar power sources, fuel cells, or turbine generators that are driven by falling water.

(4) "Family services provider" means organizations, including nonprofit corporations, that provide human services for children and adults, including but not limited to early care services for children, youth services, health services, social services, habilitative services, rehabilitative services, preventive care, and supportive services, and training, educational, and referral activities in support of human services.

(5) "Governing body" means the board or body in which the general legislative powers of the municipality or county are vested.

(6) "Higher education facilities" means any real or personal properties required or useful for the operation of an institution of higher education.

(7) "Institution of higher education" means any private, nonprofit corporation or institution within the state of Montana:

(a) authorized to provide or operate educational facilities; and

(b) providing a program of education beyond the high school level.

(8) "Mortgage" means a mortgage or deed of trust or other security device.

(9) "Municipality" means any incorporated city or town in the state.

(10) "Project" means:

(a) any land, any building or other improvement, and any other real or personal ~~properties~~ property considered necessary in connection with the improvement, whether or not now in existence, that must be suitable for use for commercial, manufacturing, agricultural, or industrial enterprises;

(b) recreation or tourist facilities;

(c) local, state, and federal governmental facilities;

(d) multifamily housing, hospitals, long-term care facilities, community-based facilities for individuals who are persons with developmental disabilities as defined in 53-20-102, or medical facilities;

(e) higher education facilities;

(f) electric energy generation facilities;

(g) family services provider facilities;

(h) any facilities that are used or considered necessary to create or produce any intangible item, as defined in section 197(d)(1)(C)(iii) of the Internal Revenue Code, 26 U.S.C. 197(d)(1)(C)(iii), including any patent, copyright, formula, process, design, pattern, knowledge, format, or other similar intangible item;

(i) the production of energy using an alternative renewable energy source as defined in 15-6-225; and

(j) any combination of these projects in subsections (10)(a) through (10)(i)."

Insert: "Section 47. Section 90-5-103, MCA, is amended to read:

"90-5-103. Limited obligation bonds -- form and contents -- sale -- negotiability -- filing. (1) All bonds issued by a municipality or county under the authority of this part must be limited obligations of the municipality or county. Bonds and interest coupons issued under the authority of this part may not constitute or give rise to a pecuniary liability of the municipality or county or a charge against its general credit or taxing powers. This limitation must be plainly stated upon the face of each of the bonds.

(2) The bonds referred to in subsection (1) may be executed and delivered at any time and from time to time, be in form and denominations, be of tenor, be in registered or bearer form either as to principal or interest, or both, be payable in installments and at a time or times not exceeding 40 years from the bonds date, be payable at a place or places, bear interest at

a rate or rates, be evidenced in a manner, be redeemable prior to maturity, with or without premium, and contain provisions not inconsistent with this part as considered in the best interest of the municipality or county and provided for in the proceedings of the governing body under whose authority the bonds must be authorized to be issued.

(3) Any bonds issued under the authority of this part may be sold at public or private sale in a manner, at a time or times, and at a price above or below par as may be agreed upon by the lessee of the project or the borrower of the funds. The municipality or county may pay all expenses, premiums, and commissions that the governing body may consider necessary or advantageous in connection with the authorization, sale, and issuance of the bonds from the proceeds of the sale of the bonds or from the revenue of the projects.

(4) All bonds issued under the authority of this part and all interest coupons applicable to the bonds must be construed to be negotiable instruments despite the fact that they are payable solely from a specified source.

(5) All bonds issued under the authority of this part must be filed with the securities commissioner within 10 days of the date of their issue. The filing must include the name of the issuing authority, the name and address of the person or entity on whose behalf the bonds are issued, the amount of the bond issue, the date of the bond issue, and any other information that the securities commissioner may request. Failure to comply with this section does not affect the validity of the bond issue.

(6) If applicable, the governing body of the municipality or county shall specify whether the bonds are tax credit bonds as provided in [section 43], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 44], or qualified energy conservation bonds as provided in [section 45]."

Insert: "Section 48. Section 90-7-102, MCA, is amended to read:

"90-7-102. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Authority" means the Montana facility finance authority created in 2-15-1815.

(2) "Capital reserve account" means the account established in 90-7-317.

(3) "Costs" means costs allowed under 90-7-103.

(4) "Eligible facility" means any eligible facility as defined in 90-7-104.

(5) (a) "Institution" means any public or private:

(i) nonprofit hospital, corporation, or other organization authorized to provide or operate an eligible facility in this state; or

(ii) nonprofit prerelease center, corporation, or other organization authorized to operate a prerelease center in this state; or

(iii) for-profit or nonprofit corporation or other

organization authorized to provide for or to operate a project or a facility with qualified small issue bond financing pursuant to section 144(a) of the Internal Revenue Code, 26 U.S.C. 144(a).

(b) The term also includes the following, provided that the entity is a nonprofit entity or is controlled by one or more nonprofit entities:

(i) a network of health care providers, regardless of how it is organized;

(ii) an integrated health care delivery system;

(iii) a joint venture or partnership between or among health care providers;

(iv) a purchasing alliance composed of health care providers;

(v) any health insurers and third-party administrators that are participants in a system, network, joint venture, or partnership that provides health services through one or more health facilities.

(6) "Participating institution" means an institution that undertakes the financing, refunding, or refinancing of obligations on the construction or acquisition of an eligible facility pursuant to the provisions of this chapter.

(7) "Revenue" means, with respect to eligible facilities, the rents, fees, charges, interest, principal repayments, and other income received or to be received by the authority from any source on account of the eligible facilities."

Insert: "Section 49. Section 90-7-104, MCA, is amended to read:

"90-7-104. Eligible facility. (1) The term "eligible facility" means any structure or building suitable for use as:

(a) a hospital, clinic, nursing home, or other health care facility as defined in 50-5-101;

(b) a public health center, as defined in 7-34-2102;

(c) a facility for persons with disabilities;

(d) a chemical dependency treatment facility;

(e) a nursing school;

(f) a medical teaching facility;

(g) a laboratory;

(h) a dental care facility;

(i) a prerelease center;

(j) a diagnostic, treatment, or surgical center;

(k) a facility providing services for the elderly; or

(l) applicable to a project or a facility with qualified small issue bond financing pursuant to section 144(a) of the Internal Revenue Code, 26 U.S.C. 144(a); or

~~(1)(m)~~ a structure or facility related to any of the uses enumerated in subsections (1)(a) through ~~(1)(k)~~ (1)(l) or required or useful for the operation of an eligible facility. These related facilities include supporting service structures and all necessary, useful, and related equipment, furnishings, and appurtenances and include without limitation the acquisition, preparation, and development of all lands and real and personal property necessary or convenient as a site for any of the uses

enumerated in subsections (1)(a) through ~~(1)(k)~~ (1)(l).

(2) An eligible facility does not include:

(a) items such as food, fuel, supplies, or other items that are customarily considered as current operating expenses; and

(b) a structure used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship."

Insert: "NEW SECTION. Section 50. Taxation of projects. (1)

Regardless of whether the title to a project is held by the authority or a trustee acting for the authority, if the project is being financed by the authority on behalf of a for-profit corporation or other organization, the project is subject to taxation to the same extent, in the same manner, and under the same procedures as privately owned property in similar circumstances if the project is leased to or held by private interests on both the assessment date and the date the county commissioners set the mill levies in any year. The project is not subject to taxation in any year during which it is not leased to or held by private interests on both the assessment date and the date the county commissioners set the mill levy.

(2) When personal property owned by the authority or a trustee acting for the authority is taxed under this section and the personal property taxes on the personal property are delinquent, levy by warrant for distraint for collection of the delinquent taxes may be made only on the personal property against which the taxes were levied."

"NEW SECTION. Section 51. Procedure prior to financing certain projects. (1) In addition to meeting the other requirements contained in this chapter or in state or federal law, the requirements of subsections (2) through (4) must be met before financing is provided for a project described in 90-7-104(1)(l).

(2) The authority shall find that the financing is in the public interest. In order to determine whether or not the financing is in the public interest, a public hearing must be conducted in the following manner:

(a) the city or county in which the project will be located must be notified, and the city and county shall, within 14 days after receipt of the notice, notify the board if it elects to conduct the hearing; or

(b) if a request for a local hearing is not received by the authority within 14 days after the notification in subsection (2)(a), the authority may hold the hearing at a time and place it determines.

(3) Notice of the hearing must be published at least once a week for 2 weeks prior to the date set for the hearing by publication in a newspaper of general circulation in the city or county where the hearing will be held and the project will be located. The notice must include the time and place of the hearing, a general description of the nature and location of the project, the name of the lessee, borrower, or user of the project

and the maximum principal amount of the financing to be provided by the authority.

(4) If the hearing required by subsection (2) is conducted by a local government, the governing body of the local government shall notify the authority of its determination of whether the financing is in the public interest within 14 days after the completion of the public hearing.

Renumber: subsequent sections

18. Page 33, line 5 through page 43, line 1.

Strike: sections 27 and 28 in their entirety

Insert: "NEW SECTION. Section 56. Distribution of local government, tribal government, and school funds. (1) Of the \$45 million appropriated to the department of commerce for distribution to local governments, tribal governments, and school districts in [section 81], \$10 million must be allocated to Montana counties, \$10 million must be allocated to Montana cities and towns, and \$5 million must be allocated to tribal governments. The department may retain 1.25% of the amount of the grants to counties, cities, towns, tribal governments, and school districts for administrative purposes. The distributions to tribal governments must be made available through the state-tribal economic development commission as provided in 90-1-130 through 90-1-135. The commission shall provide funding for projects that are available for immediate commencement to improve infrastructure or improve energy efficiency. The funds are intended to be allocated to complete priority projects as determined by the appropriate tribal government, but each tribe must be allocated at least \$200,000. The funds appropriated to the department of commerce for local governments must be distributed pursuant to Title 90, chapter 1, part 2. The funds allocated to local governments must be distributed as follows:

(a) each county must receive \$100,000 plus the proportional share of the funds remaining from the \$10 million based upon a blending of the distribution formulas contained in 15-70-101(2)(b) and (3); and

(b) each city and town must receive \$5,000 plus the proportional share of the funds remaining from the \$10 million based upon the distribution formula in 15-70-101(2)(c).

(2) Funds received by a county, city, or town pursuant to subsection (1) may be used for projects approved by the department of commerce for the following purposes:

(a) designing, erecting, repairing, and remodeling public buildings or making energy efficiency improvements to public buildings;

(b) designing, constructing, and repairing sewers, storm sewers, sewage treatment and disposal plants, waterworks, and reservoirs;

(c) designing, constructing, and repairing bridges, docks, wharves, breakwaters, and piers;

(d) designing, constructing, reconstructing, improving,

maintaining, and repairing roads;

(e) acquiring, opening, or widening any street and improving the street by designing, constructing, reconstructing, and repairing pavement, gutters, sidewalks, curbs, and vehicle parking strips;

(f) designing, building, renovating, and equipping parks and other recreation facilities; and

(g) installing street lighting.

(3) The department of commerce shall distribute \$20 million of the appropriation for Distribution to School Districts and Local and Tribal Governments contained in [section 81] to school districts based upon the formula for distributing the quality educator payment provided for in 20-9-327. A school district shall use the funds received pursuant to this section for deferred maintenance and for making energy efficiency improvements."

Renumber: subsequent sections

19. Page 43, line 12.

Following: "BUILDING."

Insert: "The department shall give priority to schools operating out of temporary facilities because of a calamitous event."

20. Page 43, line 15.

Strike: "51"

Insert: "81"

Strike: "\$35"

Insert: "\$15"

21. Page 43, line 18.

Strike: "51"

Insert: "81"

22. Page 44.

Following: line 3

Insert: "NEW SECTION. **Section 58. Energy development and demonstration grant program.** (1) There is an energy development and demonstration grant program within the department of environmental quality to fund technology development and demonstration:

(a) advancing the development and utilization of energy storage systems, including but not limited to mediums, such as accumulators, fuel cells, and batteries, that store energy that may be drawn upon at a later date for use;

(b) developing storage systems specifically designed to store energy generated from eligible renewable resources as defined in 69-3-2003, including but not limited to compressed air energy storage systems;

(c) promoting the efficiency, environmental performance, and cost-competitiveness of energy storage systems beyond the current

level of technology; and

(d) advancing the development of alternative energy systems as defined in 15-32-102.

(2) Entities that may be eligible for grants include but are not limited to units of the Montana university system, agricultural research centers, or private entities or research centers.

(3) Money appropriated to the department of environmental quality for the purpose of the energy development and demonstration grant program may be used by the department for providing individual grants in amounts up to \$500,000 and for administrative costs of 1% of the grant award.

(4) The grant application may include:

(a) a project plan sufficient to allow a reasonable determination regarding the potential feasibility of advancing energy storage or alternative energy systems;

(b) a business plan to allow a reasonable determination regarding the financial feasibility of the project; and

(c) a reporting process to ensure progress toward project goals."

Insert: "NEW SECTION. Section 59. Mortgage loan assistance program. The department of commerce shall develop a mortgage loan program to assist first-time home buyers with down payment and closing costs. The program must provide for lending institutions to make short-term loans of \$5,000 to qualified first-time home buyers. The loans must be paid by June 30, 2010. The department may require the home buyer to pledge federal tax credits to the loan repayment."

Insert: "NEW SECTION. Section 60. Contingent loan acquisition account -- fund transfer. (1) There is a contingent loan acquisition account in the state special revenue fund. The amount of \$2 million is transferred from the state general fund to the account.

(2) The board of housing may use money in the account to purchase loans made under [section 59] that are not paid by June 30, 2010. Money remaining in the account on August 1, 2010, must revert to the general fund."

Renumber: subsequent sections

23. Page 45, lines 10 through 14.

Strike: section 37 in its entirety

Renumber: subsequent sections

24. Page 48, lines 2 and 3.

Strike: subsection (c) in its entirety

25. Page 48, lines 6 through 8.

Strike: subsection (d) in its entirety

Insert: "(c) to the office of public instruction for BASE aid, then the general fund appropriation for that purpose in

House Bill No. 2 is reduced by \$12,763,569 in FY 2010 and \$13,216,482 in FY 2011; and

(d) to the office of the commissioner of higher education for appropriation distribution transfers, then the general fund appropriation for that purpose in House Bill No. 2 is reduced by \$31,605,482 in FY 2010 and \$31,605,482 in FY 2011."

26. Page 48, line 11.

Strike: "51"

Insert: "81"

27. Page 48, line 13.

Strike: "(3)"

Insert: "(4)"

28. Page 48, line 21 through page 49, line 2.

Following: "void" on line 21

Strike: remainder of line 21 through "void" on page 49, line 2

29. Page 49, lines 7 and 8.

Following: "item" on line 7

Strike: remainder of line 7 through "funds" on line 8

Insert: "general fund transfers"

Following: "No."

Strike: "5"

Insert: "645"

Following: the first "million"

Insert: "or more"

30. Page 49, line 13.

Strike: "51"

Insert: "81"

31. Page 49.

Following: line 13

Insert: "(4) If House Bill No. 5 is passed and approved and if [this act] does not contain an appropriation for Access Montana in the department of fish, wildlife, and parks, then the appropriation for that purpose in House Bill No. 5 is void."

32. Page 50, line 9.

Strike: "51"

Insert: "81"

33. Page 50, line 20.

Strike: "51"

Insert: "81"

34. Page 51, line 6.

Strike: "51"

Insert: "81"

35. Page 51, line 13.

Strike: "51"

Insert: "81"

36. Page 51, line 15.

Strike: "10"

Insert: "29"

Strike: "11"

Insert: "30"

37. Page 51, line 16.

Strike: "10"

Insert: "29"

Strike: "11"

Insert: "30"

38. Page 51, line 17.

Strike: "14"

Insert: "33"

39. Page 51, line 18.

Strike: "14"

Insert: "33"

40. Page 51, line 19.

Strike: "23"

Insert: "52"

41. Page 51, line 20.

Strike: "23"

Insert: "52"

42. Page 51, line 21.

Strike: "25 AND 26"

Insert: "54 and 55"

43. Page 52, line 1.

Strike: "25 AND 26"

Insert: "54 and 55"

44. Page 52.

Following: line 1

Insert: "(5) [Sections 42 and 43] are intended to be codified as an integral part of Title 17, chapter 5, part 1, and the provisions of Title 17, chapter 5, part 1, apply to [section

42 and 43].

(6) [Sections 44 and 45] are intended to be codified as an integral part of Title 7, chapter 7, part 1, and the provisions of Title 7, chapter 7, part 1, apply to [sections 44 and 45].

(7) [Sections 50 and 51] are intended to be codified as an integral part of Title 90, chapter 7, and the provisions of Title 90, chapter 7, apply to [sections 50 and 51]."

45. Page 52, line 4.

Strike: "2" in both places

Insert: "11" in both places

46. Page 52, line 10.

Strike: "16 AND 18"

Insert: "35 and 37"

47. Page 52, line 13.

Following: "1"

Insert: ", 11"

Following: "through"

Insert: "13,"

Strike: "6" through "29"

Insert: "18, 19, 27, 28, 31, 32, 34 through 41, and 56, 57, 59, and 60"

48. Page 52, line 16.

Strike: "51"

Insert: "81"

49. Page A-2, line 13 through line 14.

Strike: line 13 through line 14 in their entirety

Renumber: subsequent subsections

50. Page A-2, line 16.

Strike: "798,496 798,496" [federal special fund FY10 and FY11]

Insert: "798,496 798,496" [general fund FY10 and FY11]

51. Page A-3, line 5 through line 6.

Strike: line 5 through line 6 in their entirety

Insert: "e. Community Service Planning Grant 25,000 " [general fund FY10]

f. Biomass Energy Study 475,000" [general fund FY 10]

g. Montana Agro-Energy Industrial Park (Restricted) 150,000
150,000" [general fund FY 10 and FY 11]

52. Page A-3, line 9.

Strike: "455,000 455,000" [General fund FY 10 and FY 11]

Insert: "255,000 255,000" [General fund FY 10 and FY 11]

53. Page A-3, line 10 through line 11.

Strike: line 10 through line 11 in their entirety

54. Page A-3, line 15 through page A-4, line 4.

Strike: line 15 through line 4 in their entirety

Insert: "b. Distribution to School Districts and Local and
 Tribal Governments 23,000,000 22,000,000" [General fund
 and State special Revenue FY 10]

Insert: "c. Community and Coal Board Grants 6,500,000"
 [General fund FY 10]

Insert: "d. Other Grants 1,285,000 3,966,000" [General
 fund and State Special Revenue FY 10]

Insert: "e. Historic Preservation Competitive Grants
 1,500,000 1,500,000 [general fund FY10 and FY11]"

55. Page A-4.

Following: line 9

Insert: "c. Welcome Home Loan Program 2,000,000" [state
 special fund FY 10]

56. Page A-4, line 11.

Strike: "Matching Grants"

Insert: "Mapping"

57. Page A-4, line 12.

Strike: "2,500,871 2,499,129" [General fund FY 10 and FY 11]

Insert: "300,000" [General fund FY 10]

58. Page A-4, line 14.

Strike: "21,497,200" [State special FY 11]

Insert: "11,497,200" [State special FY 11]

59. Page A-4, line 15.

Strike: "13,536,800"

Insert: "3,536,800"

60. Page A-4, line 16 through page A-5, line 15.

Strike: page A-4, line 16 through page A-5, line 15 in their
 entirety

61. Page A-6, line 4 through line 8.

Strike: line 4 through line 8 in their entirety

Insert: "The line item for Biomass Energy Study may be used to
 fund biomass project feasibility studies, installation of
 biomass energy boilers, or biomass program staff within the
 department of natural resources and conservation in order to
 increase biomass utilization accomplishments."

Community and Coal Board Grants includes \$2,000,000 restricted to the provision of additional community development block grants to be allocated under the existing allocation formula and \$4,500,000 restricted to the provision of grants by the coal board established in 2-15-1821."

62. Page A-6, line 9.

Following: "Broadband"

Strike: "Matching Grants"

Insert: "Mapping"

63. Page A-6, line 9 through line 14.

Following: "statewide" on line 9

Strike: remainder of line 9 through line 14

Insert: "broadband inventory map pursuant to the provisions of Title VI of the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

64. Page A-6, line 15.

Strike: "The"

Insert: "Except as provided in [sections 28 and 29], the"

65. Page A-7.

Following: line 11

Insert: "The amount of 2.71% of the appropriation for the line item for Historic Preservation Competitive Grants may be used for administrative expenses to implement the program."

66. Page A-7, line 12 through page A-8, line 1.

Strike: line 12 through line 1 in their entirety

67. Page A-10.

Following: line 16

Insert: "g. Military Museum and IED -- Fort Harrison 1,000,000" [general fund FY 10]

68. Page A-11.

Following: line 11

Insert: "Military Museum and IED -- Fort Harrison consists of \$250,000 for a military museum and \$750,000 for IED training."

69. Page B-3, line 12.

Strike: "2,000,000 2,000,000" [general fund FY10 and FY11]

Insert: "4,650,830 10,333,165" [general fund FY10 and FY11]

Strike: "8,527 7,980" [state special fund FY10 and FY11]

Insert: "19,829 41,231" state special fund FY10 and FY11].

Strike: "3,588,062 3,118,487" [federal special fund FY10 and FY11]

Insert: "8,343,733 16,111,921" [federal special fund FY10 and FY11]

70. Page B-4, line 6.

Strike: "1,000,000 1,000,000" [federal special fund FY10 and FY11]

Insert: "1,000,000 1,000,000" [general fund FY10 and FY11]

71. Page B-5, line 1.

Strike: "1,265,733 949,981" [federal special funds FY 10 and FY 11]

Insert: "1,315,737 1,000,000" [federal special funds FY 10 and FY 11]

72. Page B-5, lines 2 & 3.

Strike: line 2 through line 3 in their entirety

73. Page B-5, line 12.

Strike: "25,000,000 35,000,000" [general fund FY10 and FY11]

Insert: "18,433,433 22,219,989" [general fund FY10 and FY11]

Strike: "84,361,329 118,105,861" [federal special fund FY10 and FY11]

Insert: "62,456,789 96,218,637" [federal special fund FY10 and FY11]

74. Page B-6, following line 7.

Following: "c. Direct Care Worker Wage Increase -- SLTC Services (Restricted)

1,915,738 2,446,846" [general fund FY10 and FY11]

"6,210,553 5,775,301" [federal special fund FY10 and FY11]

75. Page B-6, line 10.

Strike: "2,000,000 2,000,000" [General fund FY 10 and FY 11]

Insert: "250,000 250,000" [General fund FY 10 and FY 11]

76. Page B-7, line 3.

Following: "SECTION"

Strike: "5"

Insert: "18"

77. Page B-7, line 4.

Following: "SECTION"

Strike: "5"

Insert: "18"

78. Page B-7, line 11.

Following: "INCREASE."

Insert: "Provider Rate Increase may not be used to raise rates paid to providers pursuant to 53-6-125."

79. Page B-7, line 14.

Following: "SECTION"

Strike: "5"

Insert: "18"

80. Page B-7, line 15.

Following: "SECTION"

Strike: "5"

Insert: "18"

81. Page B-7, line 16.

Strike: line 16 in its entirety

82. Page B-8, line 4.

Following: "SECTION" in 2 places

Strike: "5" in both places

Insert: "18" in both places

83. Page B-8.

Strike: lines 7 through 8 in their entirety

84. Page B-8, line 9.

Following: "FY2010-11"

Insert: ": (1) may be used only to transfer funds eligible for reserve under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Title V, section 5001, to a state special revenue account; (2)"

Following: "PROGRAM"

Strike: "."

Insert: "; and"

85. Page B-8, line 10.

Strike: "UP"

Insert: "(3) includes an appropriation of up"

Following: "FUNDS"

Strike: "MAY BE USED"

86. Page B-8, following line 11.

Insert: "Direct Care Worker Wage Increase -- SLTC Services must be used to raise provider rates for medicaid services to allow for wage increases or lump-sum payments to workers who provide direct care and ancillary services."

87. Page C-1.

Following: line 15

Insert: "g. Energy Storage Grant Program 1,000,000
[federal special revenue FY10]

h. Energy Storage Grant Program Additional Funding
(Restricted) 1,000,000 [federal special revenue FY11]"

88. Page C-2.

Following: line 15

Insert: "Energy Storage Grant Program Additional Funding is appropriated only if the federal allocation for the state energy program exceeds \$25.8 million and the excess funding is not restricted to another purpose."

89. Page C-4, line 5 through line 6.

Strike: line 5 through line 6 in their entirety

90. Page D-1, line 5.

Strike: "247,500 247,500" [General fund FY 10 and FY 11]

Insert: "125,000 125,000" [General fund FY 10 and FY 11]

91. Page D-2.

Following: line 15

Insert: "a. Meth Watch
500,000" [General fund FY 10]

Renumber: subsequent subsection

92. Page E-1.

Strike: line 4 through line 5 in their entirety

Renumber: subsequent subsections

93. Page E-1.

Following: line 9

Insert: "c. Title I-A -- FY 2009
415,800 [federal special revenue FY10]"

d. McKinney-Vento (Homeless Assistance) -- FY 2010-11
22,400 [federal special revenue FY10]"

94. Page E-1, line 14.

Strike: "34,650,000 [federal special revenue FY10]"

Insert: "34,234,200 [federal special revenue FY10]"

95. Page E-1, line 16.

Strike: "35,472,241 [federal special revenue FY10]"

Insert: "36,708,056 [federal special revenue FY10]"

96. Page E-2, line 8.

Strike: "224,000 [federal special revenue FY10]"

Insert: "201,600 [federal special revenue FY10]"

97. Page E-2, line 11 through line 12.

Strike: line 11 through line 12 in their entirety

98. Page E-2.

Following: line 12

Insert: "i. Stabilization Funding for K-12 Education
12,763,509 13,216,482" [federal special fund FY10 and
FY11]

"j. Increase State Support for Schools With Education
Stabilization Funds
10,724,262 21,713,034" [federal special fund FY10 and
FY11]

99. Page E-3, line 1 through line 3.

Strike: line 1 through line 3 in their entirety

Insert: "For the 2011 biennium, the first source of funding of
the school district guaranteed tax base aid and direct state aid
is the federal appropriation for Stabilization Funding for K-12
Education."

100. Page E-4, line 4.

Strike: "1,000,000 1,000,000" [federal special fund FY10 and
FY11]

Insert: "1,000,000 1,000,000" [general fund FY10 and FY11]

101. Page E-4.

Following: line 4

Insert: "b. Virtual Academy
1,000,000 1,000,000" [general fund FY10 FY11]

102. Page E-4, line 6.

Following: "Assistance"

Insert: " -- Restore to Governor's December 15 Budget"

103. Page E-4, line 7.

Strike: "606,189 671,586" [federal special fund FY10 and FY11]

104. Page E-4, line 8.

Strike: "700,000 700,000" [general fund FY10 and FY11]

Insert: "606,189 671,586" [general fund FY10 and FY11]

105. Page E-4.

Following: line 8

Insert: "b. Community College Assistance

137,944 113,299" [general fund FY10 and FY11]

"762,056 786,701" [federal special fund FY10 and FY11]

Renumber: subsequent subsections

106. Page E-4, line 10.

Strike: "776,851 824,024" [general fund FY10 and FY11]

Insert: "776,851 824,024" [federal special fund FY10 and FY11]

107. Page E-4, line 12.

Following: "Resident Students"

Insert: "Funded With Education General Funds"

108. Page E-4, line 13.

Strike: "5,000,000 5,000,000" [federal special fund FY10 and FY11]

Insert: "3,154,033 2,506,230" [general fund FY10 and FY11]

109. Page E-4, line 15.

Strike: "44,076,457 45,074,019" [federal special fund FY10 and FY11]

Insert: "31,605,482 31,605,482" [federal special fund FY10 and FY11]

110. Page E-4, line 16.

Following: "RESIDENT STUDENTS"

Insert: "Funded With General Government State Fiscal
Stabilization Funds"

111. Page E-5, line 1.

Strike: "4,103,549 4,103,549" [general fund FY10 and FY11]

Insert: "5,966,490 6,580,345" [federal special fund FY10 and FY11]

112. Page E-5, line 4.

Following: "STATION"

Strike: remainder of line 4

Insert: "-- Sawfly Research (Restricted) "

113. Page E-5, line 5.

Strike: "300,000 300,000" [general fund FY10 and FY11]

Insert: "250,000 250,000" [general fund FY10 and FY11]

114. Page E-5.

Strike: line 6 through line 7 in their entirety

Insert: "f. Agricultural Experiment Station -- Equipment and Infrastructure

1,000,000 1,000,000" [general fund FY10 & FY11]

g. Montana Extension Service -- Local Government Centers (Restricted) 150,000 150,000" [general fund FY10 and FY11]

h. Replace 6-Mill Levy Revenue Shortfall With Federal General Stabilization Funds

1,447,296 1,046,625" [federal special fund FY10 and FY11]

115. Page E-5, line 10.

Strike: "450,000 450,000" [federal special fund FY10 and FY11]

Insert: "450,000 450,000" [general fund FY10 and FY11]

116. Page E-6, line 9 through line 10.

Following: "AMOUNT OF" on line 9

Strike: remainder of line 9 through line 10

Insert: "\$1,800,000 total funds over the biennium for Community College Assistance will be allocated as follows: \$900,000 to Flathead Valley community college, \$450,000 to Miles community college, and \$450,000 to Dawson community college."

117. Page E-6.

Strike: line 11 through line 12 in their entirety

118. Page E-6.

Following: line 12

Insert: "For OCHE--Appropriation Distribution Transfers, the House Bill No. 2 base state special revenue fund appropriations for transfers are reduced by \$1,447,296 in FY 2010 and \$1,046,625 in FY 2011."

119. Page E-6, line 14.

Following: "SECTION"

Strike: "5"

Insert: "18"

120. Page E-6, line 15.

Following: "SECTION"

Strike: "5"

Insert: "18"

121. Page E-6.

Following: line 15

Insert: "The line item appropriation for Agricultural Experiment Station -- Sawfly Research is restricted to sawfly research.
The line item appropriation for Agricultural Experiment Station -- Equipment and Infrastructure is restricted to purchases for infrastructure and equipment for agricultural experiment stations.

The line item appropriation for Montana Extension Service -- Local Government Centers is restricted to expenditures for the local government center program in the Montana extension service.

Any local education agency or institution of higher education that receives funding under this program shall ensure that the agency or institution will meet the intentions and legal requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5."

122. Page F-1, line 4.

Following: "Program"

Insert: "Transfer"

123. Page F-1, line 6.

Strike: "6,744,914 6,744,914 [federal funds FY10 and FY11]"

Insert: "7,248,486 6,544,914 [general fund FY10 and FY11]"

124. Page F-1, line 7.

Following: line 6

Insert: "b. Long-Range Building Program Allocation
638,216 638,216 [FY 2010 & FY 2011 Federal Fund]"

Renumber: subsequent subsections

125. Page F-1, line 10.

Strike: "Long-Range Building Program"

Insert: "State"

Following: "Conservation"

Strike: "Improvements"

Insert: "Repayment Account"

126. Page F-1, line 15.

Following: "Improvements"

Insert: "Transfer"

127. Page F-1, line 16.

Strike: "11,000,000 11,000,000" [federal special fund FY10 and FY11]

Insert: "6,150,000 6,150,000" [general fund FY10 and FY11]

Insert: "3,850,000 4,850,000" [federal special fund FY10 and FY11]

128. Page F-1.

Following: line 16

Insert: "g. MUS Energy Conservation Additional Funds
(Restricted) 1,000,000 " [federal special revenue FY11]

129. Page F-2, line 1.

Following: "Hall"

Insert: "Transfer"

130. Page F-2, line 2.

Strike: "3,000,000 3,000,000" [federal special fund FY10 and FY11]

Insert: "3,000,000 3,000,000" [general fund FY10 and FY11]

131. Page F-2, line 3 through line 5.

Strike: line 3 through line 5 in their entirety

Renumber: subsequent subsection

132. Page F-2, line 9.

Following: "h."

Insert: "State"

Following: "Energy"

Strike: "Project Administration"

Insert: "Conservation Capital Projects Account"

133. Page F-2, line 12.

Strike: "ESSC"

Insert: "Enterprise System Services Center"

Following: "Equipment"

Strike: "and Moving Expenses"

Insert: "(Department of Administration)"

134. Page F-2, line 13.

Strike: "1,750,000 1,750,000" [General fund FY 10 and FY 11]

Insert: "1,250,000 1,250,000" [General fund FY 10 and FY 11]

135. Page F-5, line 6.

Strike: line 6 in its entirety

136. Page F-5.

Following: line 7

Insert: MUS Energy Conservation Additional Funds is appropriated only if the federal allocation for the state energy program in the department of environmental quality exceeds \$25.8 million and the excess funding is not restricted to another purpose."

- END -

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Total 0

Excused: None.

Total 0

HB 9 concurred in, as amended, as follows:

Yeas: Bales, Barkus, Barrett, Black, Branac, Brenden, Brueggeman, Cooney, Curtiss, Erickson, Esp, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke.

Total 40

Nays: Balyeat, R. Brown, T. Brown, Essmann, Hinkle, Jackson, McGee, Shockley, Tutvedt, Mr. President.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SPECIAL ORDERS OF THE DAY

Senator R. Brown introduced the Pages for the week of April 14-18, 2009.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Peterson moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator McGee in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 645 - Senator Esp moved **HB 645** be concurred in.

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page E-4.

Following: line 5

Insert: "Total fiscal year 2010 expenditures from the line item Stabilization Funding for K-12 Education may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 18]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 18]."

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

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Total 27

Nays: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 23

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page 72, line 14.

Strike: "\$3.5"

Insert: "\$2.5"

2. Page F-1, line 7.

Strike: "-200,000 -200,000 [Federal Special Revenue FY 2010 & FY 2011]"

3. Page F-1, line 13.

Following: "~~improvements~~"

Strike: "REPAYMENT"

Insert: "Capital Projects"

4. Page F-1, line 15.

Strike: "7,519,000 7,519,000 [Federal Special Revenue FY 2010 & FY 2011]"

Insert: "6,519,000 6,519,000 [Federal Special Revenue FY 2010 & FY 2011]"

5. Page F-1, line 16.

Following: "e."

Strike: "Long-Range Building Program"

Insert: "State"

Following: "Conservation"

Strike: "Improvements"

Insert: "Repayment Account"

Amendment adopted as follows:

Yeas: Bales, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gallus, Gebhardt, Hinkle, Jackson, Jent, Keane, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

Total 30

Nays: Balyeat, Branae, Cooney, Erickson, Gillan, Hamlett, Hansen, Hawks, Juneau, Kaufmann, Larsen, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 20

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

Senators Hansen and Laible excused at this time.

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page 53, line 17.

Following: "IMPLEMENT"

Strike: "THE WORKER TRAINING PROGRAM AND"

Following: "BROADBAND"

Strike: "MATCHING GRANT"

Insert: "mapping"

2. Page 64, line 16.

Following: "MAINTENANCE"

Insert: "on school facilities"

3. Page 65, line 4.

Following: "FACILITIES"

Strike: "BECAUSE OF A CALAMITOUS EVENT"

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

Total 26

Nays: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 22

Absent or not voting: None.

Total 0

Excused: Hansen, Laible.

Total 2

Senators Hansen and Laible present at this time.

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page A-8.

Following: line 11

Insert: "Montana Agro-Energy Industrial Park is restricted to grant funding for the development of the Montana Agro-Energy Industrial Park."

Amendment adopted as follows:

1169

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Yeas: Bales, Balycat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hansen, Hinkle, Jackson, Jent, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.

Total 37

Nays: Branae, Hamlett, Hawks, Juneau, Kaufmann, Larsen, Moss, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried.

Total 12

Absent or not voting: None.

Total 0

Excused: Keane.

Total 1

Senator Keane excused at this time.

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page 63, line 14.

Following: "RETAIN"

Strike: "1.25%"

Insert: "1.13%"

Amendment adopted as follows:

Yeas: Bales, Balycat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hamlett, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Squires, Steinbeisser, Stewart-Peregoy, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.

Total 36

Nays: Branae, Cooney, Erickson, Gallus, Gillan, Hansen, Juneau, Kaufmann, Larsen, Moss, Schmidt, J. Tropila, M. Tropila, Wanzenried.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page A-5

Strike: Lines 7 and 8 in their entirety.

Renumber: Subsequent sections.

Amendment adopted as follows:

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Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Stewart-Peregoy, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.
Total 35

Nays: Branac, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Juneau, Kaufmann, Moss, Schmidt, Squires, J. Tropila, M. Tropila, Wanzenried.
Total 15

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 645 - Senator Wanzenried moved **HB 645**, second reading copy, be amended as follows:

1. Page E-4, following line 3.

Insert: "One-time-only funding used to fund the basic and per-ANB entitlement in the 2011 biennium must be included in the base from which the inflation factor in 20-9-326 is calculated by the superintendent of public instruction in preparing and submitting a budget for K-12 public education for the 2013 biennium pursuant to 17-7-111 and 17-7-112. The statewide present law base for purposes of the 2013 biennium executive budget for the at-risk student payment provided in 20-9-328 must be \$10 million."

Amendment **not** adopted as follows:

Yeas: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 23

Nays: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.
Total 27

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Juneau excused at this time.

HB 645 - Senator Hawks moved **HB 645**, second reading copy, be amended as follows:

1. Page E-7.

Following: line 12

Insert: "i. Fund College Affordability Plan for the 2011 Biennium
2,702,558 4,264,330" [general fund FY10 & FY11]

Amendment **not** adopted as follows:

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Yeas: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 22

Nays: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.
Total 27

Absent or not voting: None.
Total 0

Excused: Juneau.
Total 1

Senator Juneau present at this time.

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page A-5, line 5.

Strike: "COMMUNITY AND"

2. Page A-5, line 6.

Strike: "6,500,000" [General fund FY 10]

Insert: "4,500,000" [General fund FY 10]

3. Page A-8, line 14 and line 15.

Strike: "COMMUNITY AND" on line 14

Following: "GRANTS" on line 14

Strike: remainder of line 14 through "\$4,500,000" on line 15

Insert: "is"

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Erickson, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.
Total 28

Nays: Branae, Cooney, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 645 - Senator Laible moved **HB 645**, second reading copy, be amended as follows:

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1. Page E-5.

Following: line 9

Insert: "c. 2-Year Extention Campuses 750,000" [general fund FY10]

2. Page A-5, line 6.

Strike: "6,500,000" [general fund FY10]

Insert: "5,750,000" [general fund FY10]

Amendment **not** adopted as follows:

Ycas: Barkus, Branae, Cooney, Erickson, Esp, Gallus, Gillan, Hamlett, Hawks, Kaufmann, Laible, Larsen, Schmidt, Windy Boy, Zinke.

Total 15

Nays: Bales, Balyeat, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Essmann, Gebhardt, Hansen, Hinkle, Jackson, Jent, Juneau, Keane, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Mr. President.

Total 35

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 645 - Senator Hawks moved **HB 645**, second reading copy, be amended as follows:

1. Page E-3, following line 9.

Insert: "k. At-Risk Payment 4,999,999 4,999,999"

[General Fund FY10 FY11]

2. Page E-4, following line 5.

Insert: "The line item At-Risk Payment, along with the At-Risk Payment in House Bill 2, is to be added to school districts' BASE budget and maximum budget in the 2011 biennium."

Amendment **not** adopted as follows:

Ycas: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 23

Nays: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

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Total 0

HB 645 - Senator Balyeat moved **HB 645**, second reading copy, be amended as follows:

1. Page B-6, line 16.

Strike: "MENTAL HEALTH CRISIS DIVERSION PILOT PROGRAM"

Insert: "Community Mental Health Crisis Services Demonstration Project"

2. Page B-9, line 11.

Strike: "MENTAL HEALTH CRISIS DIVERSION PILOT PROGRAM"

Insert: "Community Mental Health Crisis Services Demonstration Project"

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branac, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page 71, line 1.

Strike: "BASE aid"

Insert: "Stabilization Funding for K-12 Education"

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branac, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

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Excused: None.
Total 0

HB 645 - Senator Williams moved **HB 645**, second reading copy, be amended as follows:

1. Page D-1, line 6.

Strike: "125,000 125,000" [General Fund FY 2010 and FY 2011]

Insert: "247,500 247,500" [General Fund FY 2010 and FY 2011]

Amendment **not** adopted as follows:

Yeas: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 23

Nays: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.
Total 27

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 645 - Senator Williams moved **HB 645**, second reading copy, be amended as follows:

1. Page D-1, line 6.

Strike: "125,000 125,000" [General Fund FY 2010 and FY 2011]

Insert: "247,500 247,500" [General Fund FY 2010 and FY 2011]

2. Page D-3, line 3.

Strike: "500,000" [General Fund FY 2010]

Insert: "255,000" [General Fund FY 2010]

Amendment **not** adopted as follows:

Yeas: Balyeat, Branae, Cooney, Erickson, Gillan, Hamlett, Hansen, Hawks, Juneau, Kaufmann, Larsen, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams.
Total 19

Nays: Bales, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gallus, Gebhardt, Hinkle, Jackson, Jent, Keane, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Windy Boy, Zinke, Mr. President.
Total 31

Absent or not voting: None.
Total 0

Excused: None.

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Total 0

HB 645 - Senator Black moved **HB 645**, second reading copy, be amended as follows:

1. Page C-2.

Strike: line 4 through line 6

Renumber: subsequent subsections

2. Page C-3.

Following: line 13

Insert: "b. Rail Transit Authority 49,354 50,000" [general fund FY10 and FY11]

3. Page C-3.

Following: line 16

Insert: "If Senate Bill No. 291 is not passed and approved, Rail Transit Authority is void."

Amendment adopted as follows:

Yeas: Barkus, Barrett, Black, Brenden, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hamlett, Hansen, Hinkle, Jackson, Laible, Lewis, Murphy, Perry, Peterson, Ripley, Steinbeisser, J. Tropila, Tutvedt, Windy Boy, Zinke, Mr. President.

Total 26

Nays: Bales, Balyeat, Branac, R. Brown, Cooney, Erickson, Gallus, Gillan, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, McGee, Moss, Schmidt, Shockley, Squires, Stewart-Peregoy, M. Tropila, Wanzenried, Williams.

Total 24

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 645 - Senator Kaufmann moved **HB 645**, second reading copy, be amended as follows:

1. Page 14, line 18.

Strike: "81"

Insert: "82"

2. Page 15, line 15.

Strike: "81"

Insert: "82"

3. Page 24, line 14.

Strike: "81"

Insert: "82"

4. Page 24, line 17.

Strike: "81"

Insert: "82"

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5. Page 63, line 12.

Strike: "\$45"

Insert: "\$35.9"

6. Page 63, line 13.

Strike: "81"

Insert: "82"

Strike: "\$10" in both places

Insert: "\$5.45" in both places

7. Page 63, line 20 through line 21.

Strike: "\$100,000 PLUS THE PROPORTIONAL" on line 20

Insert: "an equal"

Following: "FUNDS" on line 20

Strike: remainder of line 20 through "(3)" on line 21

8. Page 64, line 1.

Strike: "\$10"

Insert: "\$5.45"

9. Page 65, line 7.

Strike: "81"

Insert: "82"

10. Page 65, line 10.

Strike: "81"

Insert: "82"

11. Page 71, line 7.

Strike: "81"

Insert: "82"

12. Page 72, line 6.

Strike: "81"

Insert: "82"

13. Page 73, line 1.

Strike: "81"

Insert: "82"

14. Page 73, line 10.

Strike: "81"

Insert: "82"

15. Page 73, line 17.

Strike: "81"

Insert: "82"

16. Page 74, line 3.

Strike: "81"

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Insert: "82"

17. Page 74.

Following: line 3

Insert: "COORDINATION SECTION. **Section 75. Coordination instruction.** If House Bill No. 676 and [this act] are both passed and approved, then [section 18] of House Bill No. 676, amending 53-4-1004, is void."

Renumber: subsequent sections

18. Page 75, line 10.

Strike: "81"

Insert: "82"

19. Page A-3, line 4.

Strike: "3,752,548 3,747,452" [general fund FY10 and FY11]

Insert: "2,752,548 2,747,452" [general fund FY10 and FY11]

20. Page A-5, line 4.

Strike: "23,000,000" [general fund FY10 and FY11]

Insert: "13,874,476" [general fund FY10 and FY11]

21. Page B-6, following line 7.

Insert: "g. Healthy Montana Kids (Restricted)"

"5,413,433 5,712,090" [general fund FY10 and FY11]

"18,434,291 19,090,732" [federal special fund FY10 and FY11]

22. Page B-9, following line 8.

Insert: "Healthy Montana Kids may be used only to implement the healthy Montana kids program. Funding in Healthy Montana Kids may be distributed among programs when the department develops 2011 biennium operating plans."

Amendment **not** adopted as follows:

Yeas: Branac, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 22

Nays: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

Total 28

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 645 - Senator Esp moved **HB 645**, second reading copy, be amended as follows:

1. Page B-8.

Following: line 10

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Insert: "In granting the funds for Health Information Technology -- 2010-11, the department shall seek a nonprofit entity that is governed by a board of directors made up of members who provide a good geographic and demographic representation of the state and who represent the constituents interested in health care information technology, including but not limited to physicians, health care facilities, insurers, telemedicine providers, and government agencies."

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Erickson, Esp, Essmann, Gebhardt, Hamlett, Hinkle, Jackson, Keane, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Windy Boy, Zinke, Mr. President.
Total 31

Nays: Branae, Cooney, Gallus, Gillan, Hansen, Hawks, Jent, Juneau, Kaufmann, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams.
Total 19

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 645 - Senator Brueggeman moved **HB 645**, second reading copy, be amended as follows:

1. Page 64, line 1.

Following: "OF"

Insert: "50% of"

2. Page 64, line 2.

Following: "101(2)(C)"

Insert: "and a proportional share of 50% of the funds distributed based upon the percentage that the population of each city or town bears to the total population of all cities and towns"

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.
Total 46

Nays: Juneau, Kaufmann, Moss, Wanzenried.
Total 4

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

HB 645 - Senator M. Tropila moved **HB 645**, second reading copy, be amended as follows:

1. Page E-4.

Following: line 5

Insert: "MONTANA SCHOOL FOR THE DEAF AND BLIND (5113)

1. Education Program (04)

 a. Special Needs Equipment

 16,507 [general fund FY10] "

Amendment adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 645 - Senator Esp moved **HB 645**, as amended, be concurred in. Motion carried as follows:

Yeas: Bales, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Keane, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Steinbeisser, Stewart-Peregoy, Tutvedt, Windy Boy, Zinke, Mr. President.

Total 27

Nays: Balyeat, Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Larsen, Moss, Schmidt, Shockley, Squires, J. Tropila, M. Tropila, Wanzenried, Williams.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Peterson moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman McGee moved the Committee of the Whole report be adopted. Report adopted unanimously.

MOTIONS

Senator Hansen moved to change his vote on Amendment # 645-004 from no to yes. Without objection, so ordered.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 14, 2009

Senator Brenden moved to change his vote on Amendment # 645-033 from no to yes. Without objection, so ordered.
Senator Jent moved to change his vote on Amendment # 645-024 from no to yes. Without objection, so ordered.

Senator Peterson moved the Senate recess until 2:30 p.m. Motion carried.

Senate in recess.

Senate reconvened at 2:30 p.m.

Roll Call. All members present, except Senator Tutvedt, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following Senate resolution was introduced, read first time, and referred to committee:

SR 38, introduced by Laible, referred to Education and Cultural Resources (by request of Senate Education and Cultural Resources Standing Committee).

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Peterson moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Zinke in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 676 - Senator Bales moved **HB 676** be concurred in.

HB 676 - Senator Williams moved **HB 676**, second reading copy, be amended as follows:

1. Title, page 1, line 27.

Strike: "REVISING THE ALLOCATION OF PREMIUM TAXES;"

2. Title, page 2, line 1.

Strike: "33-2-708,"

Strike: "53-4-1115,"

3. Page 24, line 17 through page 26, line 5.

Strike: section 15 in its entirety

Renumber: subsequent sections

4. Page 31, line 12 through line 30.

Strike: section 21 in its entirety

Renumber: subsequent sections

5. Page 37, line 26.

Strike: "26"

Insert: "24"

3rd Reading

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 15, 2009

Nays: Balyeat, Erickson, Essmann, Hinkle, McGee.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 578 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 50

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 629 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gallus, Gebhardt, Gillan, Hinkle, Jackson, Keane, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, Tutvedt, Windy Boy, Zinke, Mr. President.
Total 35

Nays: Black, Cooney, Erickson, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Larsen, Moss, Schmidt, M. Tropila, Wanzenried, Williams.
Total 15

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 645, as amended by the Senate, concurred in as follows:

Yeas: Bales, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Keane, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Stewart-Peregoy, Tutvedt, Windy Boy, Zinke, Mr. President.
Total 27

1120

SENATE JOURNAL
EIGHTIETH LEGISLATIVE DAY - APRIL 15, 2009

Nays: Balyeat, Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Larsen, Laslovich, Moss, Schmidt, Squires, J. Tropila, M. Tropila, Wanzenried, Williams.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 659 concurred in as follows:

Yeas: Balyeat, Barrett, Black, Branae, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, Moss, Perry, Ripley, Schmidt, Shockley, Squires, Stewart-Peregoy, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 38

Nays: Bales, Barkus, Brenden, R. Brown, Essmann, Laible, McGee, Murphy, Peterson, Steinbeisser, J. Tropila, Tutvedt.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 676, as amended by the Senate, concurred in as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gallus, Gebhardt, Keane, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, Tutvedt, Windy Boy, Zinke, Mr. President.

Total 30

Nays: Balyeat, Cooney, Erickson, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Larsen, Laslovich, Moss, Schmidt, Squires, M. Tropila, Wanzenried, Williams.

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SPECIAL ORDERS OF THE DAY

Senator Barkus moved that the nomination transmitted by the Governor be concurred in and confirmed and consented to by the Senate in accordance with **Resolution No. 25**, and that the ayes and nays be spread upon the journal.

Joseph Maurier, Helena, Director, Department of Fish, Wildlife and Parks

2nd Reading - Committee of Whole

HOUSE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY - APRIL 17, 2009

HB 5 - Senate Amendments - Representative Sesso moved Senate amendments to **HB 5** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Warburton, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 93

Nays: Boniek, Brown, Randall, Sales, Wagner.
Total 5

Excused: None.
Total 0

Absent or not voting: Roundstone, Washburn.
Total 2

HB 645 - Senate Amendments - Representative Sesso moved Senate amendments to **HB 645** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Stahl, Steenson, Stoker, Vance, Van Dyk, Villa, Vincent, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 73

Nays: Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, Miller, More, Randall, Regier, Reichner, Sales, Smith, Sonju, Taylor, Wagner, Warburton.
Total 27

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 676 - Senate Amendments - Representative Sesso moved Senate amendments to **HB 676** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth,

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

FREE CONFERENCE COMMITTEE ON HOUSE BILL 645

Call to Order: Chairman John Esp, on April 17, 2009 at 4:00 P.M.,
in Room 317 Capitol

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Rep. Cynthia Hiner (D)
Sen. Jim Keane (D)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Jim Peterson (R)

Members Excused: None

Members Absent: None

Staff Present: Taryn Purdy, Legislative Branch
Prudence Gildroy, Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: None

FREE CONFERENCE COMMITTEE ON HOUSE BILL 645
April 17, 2009
PAGE 2 of 3

00:56:15 Chairman Esp
00:57:49 Clayton Schenck, Legislative Fiscal Analyst (LFA)
01:01:21 Chairman Esp
01:01:26 Taryn Purdy, Legislative Fiscal Division (LFD)
01:04:15 Chairman Esp
01:04:35 Amy Carlson, Office of Budget and Program Planning
(OBPP)
01:05:32 Chairman Esp
01:05:39 Sen. Peterson
01:06:16 Ms. Purdy, LFD
01:06:56 Chairman Esp
01:07:03 Rep. Morgan
01:07:13 Ms. Purdy
01:07:26 Chairman Esp
01:07:42 Vice-Chair Sesso
01:09:08 Chairman Esp
01:09:52 Sen. Peterson
01:10:36 Ms. Purdy
01:10:57 Chairman Esp
01:12:02 Rep. Morgan
01:12:26 Chairman Esp
01:13:59 Sen. Peterson
01:14:47 Ms. Carlson, OBPP
01:15:45 Sen. Peterson
01:15:56 Ms. Purdy
01:16:51 Chairman Esp

Recess: 4:26 PM

ADJOURNMENT

Recess: 4:26 P.M.

Prudence Gildroy, Secretary

Additional Documents:

EXHIBIT(frs82hb0645aad.pdf)

Montana State Senate Roll Call

FREE CONFERENCE COMMITTEE

Date 4-17-07 HB/SB # 645

NAME	PRESENT	ABSENT/EXCUSED
Sen. John Esp, Chair	✓	
Sen. Jim Keane	✓	
Sen. Jim Peterson	✓	
Rep. Cynthia Hiner	✓	
Rep. Walter McPurt	✓	
Rep. Penny Morgan	✓	

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

**FREE CONFERENCE COMMITTEE HOUSE BILL 2
JOINT MEETING WITH FREE CONFERENCE COMMITTEES
ON HB 645 AND HB 676**

Call to Order: Chairman Keith Bales, on April 20, 2009 at 10:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Sen. John Esp (R)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Llew Jones (R)
Sen. Jim Keane (D)
Sen. Dave Lewis (R)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Jim Peterson (R)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: None

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: NONE

Executive Action:

Technical Amendments HB 645

Discussion:

00:47:54 Chairman Esp
00:47:56 Ms. Purdy
00:49:15 Chairman Esp
00:49:22 Kris Wilkinson, LFD
00:52:29 Chairman Esp
00:53:23 Vice-Chair Sesso
00:55:04 Chairman Esp
00:55:19 Vice-Chair Sesso
00:55:30 Chairman Esp
00:55:38 Vice-Chair Sesso
00:56:47 Chairman Esp
00:57:20 Vice-Chair Sesso
00:58:52 Chairman Esp
00:59:20 Vice-Chair Sesso
00:59:26 Chairman Esp
00:59:36 Vice-Chair Sesso
01:00:36 Matt Stayner, LFD
01:02:18 Vice-Chair Sesso
01:02:29 Mr. Stayner
01:02:36 Vice-Chair Sesso
01:03:18 Mr. Stayner
01:03:42 Vice-Chair Sesso
01:04:11 Ms. Sessano, OBPP
01:04:47 Chairman Esp
01:05:04 Rep. Villa
01:05:27 Chairman Esp
01:05:43 Sen. Schmidt
01:05:54 Vice-Chair Sesso
01:06:16 Chairman Esp
01:06:19 Sen. Lewis
01:07:35 Chairman Esp
01:07:47 Sen. Schmidt
01:07:55 Rep. Villa
01:08:03 Chairman Esp
01:08:07 Rep. Villa
01:08:26 Sen. Esp
01:08:27 Ms. Purdy
01:09:05 Cathy Duncan, LFD
01:12:12 Ms. Purdy

EXHIBIT(ccs84hb0002a01)

01:17:13 Chairman ESP
01:17:41 Vice-Chair Sesso
01:19:51 Chairman Esp
01:20:15 Ms. Purdy

01:20:34 Vice-Chair Sesso
01:21:08 Chairman Esp
01:21:36 Vice-Chair Sesso
01:21:49 Chairman Esp
01:21:59 Ms. Purdy
01:22:29 Vice-Chair Sesso
01:22:53 Ms. Purdy
01:22:54 Vice-Chair Sesso
01:23:03 Ms. Purdy
01:23:05 Terry Johnson, Principal Fiscal Analyst (LFA)
01:23:18 Vice-Chair Sesso
01:23:21 Mr. Johnson, LFA
01:23:38 Ms. Purdy
01:25:46 Chairman Esp
01:26:37 Ms. Purdy
01:27:44 Chairman Esp
01:28:14 Ms. Purdy
01:28:45 Chairman Esp
01:28:51 Rep. Hiner
01:29:40 Chairman Esp
01:29:45 Jim Standaert, LFD
01:30:11 Rep. Hiner
01:30:25 Mr. Standaert
01:30:35 Madalyn Quinlan, Office of Public Instruction (OPI)
01:31:26 Chairman Esp
01:31:38 Ms. Quinlan
01:31:50 Rep. Hiner
01:32:18 Chairman Esp
01:32:41 Sen. Schmidt
01:33:07 Ms. Purdy
01:33:55 Sen. Schmidt
01:34:00 Ms. Purdy
01:34:33 Chairman Esp
01:35:28 Sen. Schmidt
01:35:38 Ms. Purdy
01:35:49 Sen. Schmidt
01:36:07 Chairman Esp
01:36:14 Sen. Schmidt
01:36:32 Chairman Esp
01:36:57 Sen. Schmidt
01:37:04 Chairman Esp
01:37:18 Rep. Jones
01:38:05 Ms. Purdy
01:38:14 Mr. Standaert
01:38:26 Rep. Jones
01:38:43 Mr. Standaert
01:38:48 Chairman Esp
01:39:18 Rep. Morgan
01:39:36 Chairman Esp
01:39:57 Ms. Purdy

01:40:17 Rep. Villa
01:40:35 Mr. Standaert
01:40:46 Chairman Esp
01:41:08 Vice-Chair Sesso
01:41:19 Mr. Standaert
01:41:32 Rep. Sesso
01:42:23 Chairman Esp
01:43:19 Vice-Chair Sesso
01:44:04 Chairman Esp
01:44:24 Ms. Purdy
01:44:32 Vice-Chair Sesso
01:45:00 Chairman Esp
01:45:14 Rep. Villa
01:45:29 Chairman Esp
01:46:09 Rep. Villa
01:46:35 Chairman Esp
01:46:47 Rep. Villa
01:46:56 Chairman Esp
01:47:00 Vice-Chair Sesso
01:47:23 Chairman Esp
01:48:10 Ms. Purdy
01:48:52 Chairman Esp
01:49:15 Rep. Hiner
01:49:29 Chairman Esp
01:49:55 Rep. Hiner
01:50:05 Chairman Esp
01:50:22 Rep. Hiner
01:50:36 Chairman Esp
01:50:42 Rep. Villa
01:52:20 Chairman Esp
01:52:57 Rep. Villa
01:53:38 Chairman Esp
01:53:47 Sen. Schmidt
01:54:01 Chairman Esp
01:54:57 Mr. Stayner
01:55:54 Sen. Schmidt
01:56:10 Chairman Esp
01:56:14 Sen. Schmidt
01:56:36 Chairman Esp

ADJOURNMENT

Adjournment: 12:20 P.M.

Prudence Gildroy, Secretary

Additional Documents:

EXHIBIT (ccs84hb0002aad.pdf)

Montana State Senate Roll Call

FREE CONFERENCE COMMITTEE

Date 4.20.09

HB/SB # 2,676,645

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
Sen. Keith Bales, Chair	✓	
Rep. Jon C. Lusso	✓	
Sen. John Esp	✓	
Rep. Rany Hawke	✓	
Rep. Cynthia Hiner	✓	
Rep. Llew Jones	✓	
Sen. Jim Keane	✓	

Sen. Dave Lewis

✓

Rep. Walter McHutt

✓

Rep. Penny Morgan

✓

Sen. Jim Peterson

✓

Rep. Dan Villa

✓

**Legislative
Fiscal Division**
<http://leg.mt.gov/css/fiscal>
School Facilities
Prior Appropriations

Transfer to School Facilities	\$43,000,000
SSR from the Account for School-Related Appropriations	
School Facilities Admin and Grants	35,034,000
Virtual High School	2,000,000
Specific Grants to Schools	<u>5,966,000</u>
Total	\$43,000,000

Current Appropriations

Transfer to School Facilities Account was not Adjusted	\$43,000,000
Changes to SSR from the Account	
Tribal Governments	2,000,000
Specific Grants to Schools Eliminated	(5,966,000)
Virtual High School Eliminated	<u>(2,000,000)</u>
Net Change (Unallocated)	(\$5,966,000)

Amount in SSR Appropriations for Schools

Block Grants	20,000,000
School Facilities Admin and Grants	<u>15,034,000</u>
Total - Amount that Should be Transferred	\$35,034,000
Tribal Increase - Amount to Switch to General Fund	2,000,000
Unallocated	<u>5,966,000</u>
Total	\$43,000,000

Action Necessary		
Reduce transfer to \$35.0 million (amount going to schools)	(\$7,966,000)	Item #2 in Amendment 64515.atp
Change Tribal grants funding to general fund	<u>2,000,000</u>	Item #1 in Amendment 64515.atp
Balance to General Fund	(\$5,966,000)	

Fiscal Stabilization

Eliminate New Worker Training	(\$7,994,722)
Add Community Colleges	400,000
Unallocated Fiscal Stabilization	(7,594,722)

Action Needed		
Replace Non-Education General Fund with Stabilization		
General Fund	(7,594,722)	Amendment 64518.atp
Fiscal Stabilization	<u>7,594,722</u>	



School Facilities and Fiscal Stabilization

Total Impact of Both

Reduce General Fund FS (\$7,594,722)

Unallocated GF Balance (5,966,000)

Total (\$13,560,722)

"Over appropriations of GF" 11,584,112

Net	(\$1,976,610)
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Welcome Home (Commerce) Transfer 2,000,000

Net Change to Comparison Sheet	\$23,390
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MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEES ON HOUSE BILL 2, HB 676, HB 645

Call to Order: Chairman Keith Bales, on April 21, 2009 at 10:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Sen. John Esp, Chairman (R)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Llew Jones (R)
Sen. Dave Lewis (R)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Jim Peterson (R)
Sen. Trudi Schmidt (D)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: Mike Allen, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 645, HB 2, HB 676

FREE CONFERENCE COMMITTEES ON HOUSE BILL 2, HOUSE BILL 676
AND HOUSE BILL 645
April 21, 2009
PAGE 2 of 5

00:00:00 Reconvene
00:00:14 Chairman Bales
00:00:26 Chairman Esp
00:00:38 Chairman Bales
00:00:47 Taryn Purdy, Legislative Fiscal Division (LFD)
00:02:28 Chairman Bales
00:02:31 Chairman Esp
00:02:40 Ms. Purdy, LFD
00:03:27 Sen. Peterson
00:04:19 Chairman Esp
00:04:26 Chairman Bales
00:05:23 Ms. Purdy
00:06:04 Rep. Hawk
00:06:38 Rep. Morgan
00:06:56 Chairman Bales
00:06:57 Chairman Esp
00:07:07 Vice-Chair Sesso

EXECUTIVE ACTION ON HB 645

00:08:10 **Motion/Vote:** Rep. Sesso moved that **HB 645 BE AMENDED.**
Motion carried unanimously by roll call vote.
EXHIBIT(frs85hb0002a01)

00:10:06 Chairman Esp
00:10:08 Recess HB 645

EXECUTIVE ACTION ON HB 2

00:10:22 Chairman Bales
00:10:56 Ms. Purdy
00:12:41 Chairman Bales
00:12:49 Rep. Sesso
00:13:23 Ms. Purdy
00:14:45 Chairman Bales
00:15:33 Rep. Hiner
00:15:59 Ms. Purdy
00:17:26 Chairman Bales
00:17:57 Ms. Purdy
00:18:09 Chairman Bales
00:18:30 Sen. Schmidt
00:19:01 Ms. Purdy
00:19:40 Chairman Bales
00:20:17 Sen. Schmidt

Montana State Senate Roll Call

FREE CONFERENCE COMMITTEE

Date 4-21-09

HB/SB # 2, 672, 675

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
Sen. Bales, Chair	✓	
Rep. Jesse, Vice Chair	✓	
Sen. Grep, Chair	✓	
Rep. Harsh	✓	
Rep. Hiron	✓	
Rep. Jones	✓	
Sen. Lewis	✓	

Rep. McHutt ✓
 Rep. Morgan ✓
 Sen. Peterson ✓
 Sen. Schmidt ✓
 Rep. Villa ✓

Montana State Senate Roll Call Vote

FREE CONFERENCE COMMITTEE

Date 4-21-09

HB/SB # 645

Amendment HB064538.a.ccd
(EXH.1)

NAME	YES	NO
Sen. Esp	✓	
Sen. Peterson	✓	
Sen. Keane	✓	
Rep. Seno	✓	
Rep. Hiner	✓	
Rep. McNitt	✓	
Rep. Morgan	✓	

Amendments to House Bill No. 645
Reference Copy

For the House Free Conference Committee

Prepared by Catherine Duncan
April 20, 2009 (9:56am)

1. Page 71, line 8.
Following: "TOTAL"
Strike: "ALLOCATIONS"
Insert: "appropriations"

2. Page 71, line 10.
Strike: "\$20"
Insert: "\$17"

3. Page F-1, line 4.
Following: "Program"
Insert: "Additional"
Following: "TRANSFER"
Strike: "Allocation"

4. Page F-2, line 4.
Following: "TRANSFER"
Insert: "and"

5. Page F-2, line 9.
Following: "TRANSFER"
Strike: "Allocation"

6. Page F-3, line 9.
Following: "Montana"
Insert: "(Department of Administration)"

- END -

Explanation -

- 1-Correction of coordination instruction-appropriations are in HB 5.
- 2-Reduces the amount of funds that are required to be transferred to eliminate the SBECF transfers in HB 5 to a quantifiable number.
- 3-Changes project title to differentiate from another transfer and eliminates a now inaccurate word.
- 4-Clarifies the project title.
- 5-Eliminates a now inaccurate word.
- 6-Clarifies that appropriation is to the department of administration.

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

**FREE CONFERENCE COMMITTEE ON HOUSE BILL 2
HB 676 AND HB 645**

Call to Order: Chairman Keith Bales, on April 22, 2009 at 10:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Sen. John Esp, Chairman (R)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Llew Jones (R)
Sen. Dave Lewis (R)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Jim Peterson (R)
Sen. Trudi Schmidt (D)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: Taryn Purdy, Legislative Fiscal Division
Prudence Gildroy, Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: None

FREE CONFERENCE COMMITTEE ON SENATE BILL 2
April 22, 2009
PAGE 2 of 3

00:00:00 Reconvene HB 2, HB 676, HB 645 10:04 a.m.

00:00:20 Chairman Bales

00:00:22 Chairman Esp

00:00:43 Chairman Bales

00:01:28 Chairman Esp

00:01:56 Chairman Bales

00:02:09 Recess HB 2, HB 676, HB 645 10:07 a.m.

ADJOURNMENT

Recess: 10:07 P.M.

Prudence Gildroy, Secretary

Additional Documents:

EXHIBIT (frs86sb0002aad.pdf)

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON HOUSE BILL 2 AND HB 645

Call to Order: Chairman Keith Bales, on April 23, 2009 at 11:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Sen. John Esp (R)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Llew Jones (R)
Sen. Jim Keane (D)
Sen. Dave Lewis (R)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Ken Peterson (R)
Sen. Trudi Schmidt (D)

Members Excused: None

Members Absent: None

Staff Present: Taryn Purdy, Legislative Fiscal Division
Prudence Gildroy, Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: None

FREE CONFERENCE COMMITTEE ON SENATE BILL 2
April 23, 2009
PAGE 2 of 3

00:00:01 Reconvene 11:00 a.m.

00:00:02 Chairman Bales
00:00:36 Chairman Esp
00:01:01 Chairman Bales
00:01:35 Rep. Sesso
00:02:12 Chairman Bales
00:02:17 Rep. Sesso
00:11:18 Chairman Bales
00:18:40 Chairman Esp
00:22:42 Sen. Schmidt
00:24:28 Sen. Peterson
00:26:48 Rep. Morgan
00:28:34 Rep. Sesso
00:33:46 Rep. Peterson
00:34:02 Rep. Sesso
00:34:43 Sen. Keane
00:36:40 Sen. Esp
00:38:25 Chairman Bales

00:39:01 Recess HB 2
00:39:04 Recess HB 645

ADJOURNMENT

Recess: 11:41 A.M.

Prudence Gildroy, Secretary

Additional Documents:

EXHIBIT(frs87sb0002aad.pdf)

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON HOUSE BILL 645

Call to Order: Chairman John Esp, on April 24, 2009 at 10:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Rep. Cynthia Hiner (D)
Sen. Jim Keane (D)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Jim Peterson (R)

Members Excused: None

Members Absent: None

Staff Present: Taryn Purdy, Legislative Fiscal Division
Prudence Gildroy, Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Due to a committee recess, several audio recordings were made to cover the entirety of the meeting. After the first part of the meeting and its audio recording, one minute and 29 seconds of silence was added to the final recording to represent the committee recess before the second audio portion begins. The second portion of the audio recording for the meeting begins at the minute's time stamp of 1:01:00.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 645

00:00:01 Reconvene
00:00:02 Chairman Esp
00:02:09 Rep. Sesso
00:03:52 Chairman Esp

00:04:36 **Motion:** Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a01)

Discussion:

00:05:15 Rep. Hiner
00:05:24 Taryn Purdy, Legislative Fiscal Division (LFD)
00:06:34 Chairman Esp
00:07:15 Rep. Sesso
00:07:29 Chairman Esp
00:08:26 Rep. Sesso
00:10:16 Chairman Esp
00:11:53 Rep. Sesso
00:13:09 Chairman Esp
00:14:25 Rep. Sesso
00:14:38 Chairman Esp
00:15:29 Rep. Hiner
00:15:53 Chairman Esp
00:16:11 Jim Standaert, LFD
00:16:35 Rep. Hiner
00:16:47 Mr. Standaert
00:17:05 Ms. Purdy
00:18:36 Chairman Esp

00:19:34 **Vote:** Motion failed 4-3 by roll call vote due to lack
of majority from both houses. Sen. Esp, Peterson and
Reps. McNutt and Morgan voting aye.

00:19:36 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a02)

Discussion:

00:20:01 Ms. Purdy
00:20:52 Chairman Esp
00:20:57 Ms. Purdy
00:21:55 Rep. Sesso
00:22:37 Ms. Purdy
00:22:54 Chairman Esp
00:23:11 Rep. Hiner
00:23:32 Chairman Esp
00:24:52 Rep. Hiner
00:25:00 Chairman Esp
00:25:32 Rep. Hiner

00:25:39 Chairman Esp
00:26:23 Ms. Purdy
00:28:09 Sen. Peterson
00:28:26 Chairman Esp

00:28:30 **Vote:** Motion carried unanimously by roll call vote.

00:29:43 **Motion:** Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a03)

Discussion:

00:30:06 Ms. Purdy
00:30:13 Barbara Smith, LFD
00:32:44 Rep. Sesso
00:33:38 Chairman Esp
00:33:58 Rep. Sesso
00:34:18 Chairman Esp
00:34:25 Ms. Purdy
00:35:22 Chairman Esp
00:35:42 Ms. Purdy
00:35:47 Chairman Esp
00:36:06 Rep. Sesso
00:36:42 Chairman Esp
00:36:45 Ms. Purdy
00:36:51 Kris Wilkinson, LFD
00:37:41 Chairman Esp
00:38:10 Rep. Sesso
00:39:43 Chairman Esp
00:39:51 Rep. Sesso
00:40:35 Chairman Esp
00:41:21 Rep. Sesso
00:41:52 Chairman Esp
00:42:17 Ms. Purdy
00:42:56 Rep. Sesso
00:43:34 Chairman Esp
00:44:28 Rep. Sesso
00:45:44 Chairman Esp
00:45:50 Ms. Wilkinson
00:46:50 Chairman Esp
00:47:27 Sen. Peterson

00:47:33 **Vote:** Motion carried unanimously by voice vote.

00:48:03 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a04)

Discussion:

00:48:05 Sen. Peterson

00:49:08 Sen. Esp

00:49:42 **Vote:** Motion carried unanimously by voice vote.

00:49:55 Chairman Esp

00:50:14 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**

EXHIBIT(frs88hb0645a05)

Discussion:

00:52:34 Chairman Esp

00:53:29 **Vote:** Motion carried unanimously by voice vote.

00:54:03 Chairman Esp

00:54:15 Rep. Hiner

00:54:19 Chairman Esp

00:54:22 **Motion:** Rep. Peterson **MOVED TO AMEND HB 645.**

EXHIBIT(frs88hb0645a06)

Discussion:

00:54:24 Chairman Esp

00:56:19 Rep. Hiner

00:56:27 Chairman Esp

00:56:47 Rep. Hiner

00:57:00 Rep. Sesso

00:57:37 Chairman Esp

00:57:40 Ms. Purdy

00:57:56 Rep. Sesso

00:57:58 Ms. Purdy

00:58:11 Rep. Sesso

00:58:23 Chairman Esp

00:58:50 Sen. Peterson withdrew his motion.

00:59:00 Chairman Esp

00:59:31 Recess 11:22 a.m.

01:01:00 Reconvene HB 645 5:05 p.m.

01:02:17 Chairman Esp

01:03:47 **Motion/Vote:** Sen. Peterson moved **TO RECONSIDER ACTION ON AMENDMENT HB064535.AGP** (Exhibit 4). Motion carried by voice vote of both houses.

01:05:29 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a07)

01:05:50 Chairman Esp

01:05:59 **Vote:** Motion carried unanimously by voice vote.

01:06:41 **Motion:** Sen. Keane moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a08)

Discussion:

01:07:59 Rep. Morgan
01:08:43 Chairman Esp
01:09:46 Rep. Hiner
01:10:13 Marilyn Daumiller, Legislative Fiscal Division (LFD)
01:12:09 Sen. Keane
01:13:11 Chairman Esp
01:13:14 Rep. Morgan
01:13:37 Ms. Daumiller
01:14:39 Chairman Esp
01:15:27 Ms. Daumiller
01:16:47 Chairman Esp
01:17:50 Sen. Keane

01:18:20 **Vote:** Motion failed 5-2 by roll call vote due to lack
of majority in both houses. Sen. Keane, Reps. Sesso,
Hiner, McNutt and Morgan voting aye.

01:19:24 Chairman Esp

01:19:46 **Motion:** Sen. Peterson **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a09)

01:20:36 Chairman Esp

01:21:03 Sen. Peterson modified his motion **in 8(1) (A) STRIKING**
"1.01983" AND INSERTING "1.02 and in 8 (2) (A) STRIKING
"1.04003" AND INSERTING "1.04".

Discussion:

01:21:26 Madalyn Quinlan, Office of Public Instruction (OPI)
01:22:56 Chairman Esp
01:23:12 Ms. Quinlan, OPI
01:23:37 Chairman Esp
01:23:54 Sen. Peterson withdrew his motion.
01:24:40 Chairman Esp
EXHIBIT(frs88hb0645a10)

01:26:32 Rep. Sesso
01:27:03 Greg Petesch, Legislative Services Division (LSD)
01:27:20 Rep. Sesso
01:27:29 Mr. Petesch, LSD
01:27:52 Chairman Esp

01:29:09 **Motion:** Rep. Sesso moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a11)

Discussion:

01:29:49 Ms. Purdy
01:29:58 Greg Dewitt, LFD
01:30:52 Rep. Sesso
01:31:08 Chairman Esp

01:31:23 **Vote:** Motion carried unanimously by voice vote.

01:31:43 Chairman Esp

01:32:16 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs88hb0645a12)

Discussion:

01:32:31 Ms. Purdy
01:32:53 Ms. Smith
01:33:15 Rep. Sesso
01:33:27 Ms. Smith

01:33:36 **Vote:** Motion carried unanimously by voice vote.

01:33:51 Chairman Esp
01:34:36 Rep. Hiner
01:34:56 Chairman Esp
01:35:32 Rep. Sesso
01:35:35 Chairman Esp
01:36:35 Rep. Sesso
01:36:39 Cathy Duncan, LFD

EXHIBIT(frs88hb0645a13)

01:37:32 Rep. Sesso
01:38:12 Ms. Duncan
01:41:17 Chairman Esp
01:42:27 Rep. Sesso
01:42:36 Chairman Esp
01:43:58 Rep. Morgan
01:44:03 Chairman Esp

ADJOURNMENT

Recess: 5:47 P.M.

Prudence Gildroy, Secretary

Additional Documents:

Additional Documents:

EXHIBIT (frs88hb0645aad.pdf)

Montana State Senate Roll Call Vote

FREE CONFERENCE COMMITTEE

Date 11-24-09

HB/SB # 645

NAME	YES	NO
Sen. Esp	✓	
Sen. Peterson	✓	
Sen. Keane		✓
Rep. Seno		
Rep. Hiner		
Rep. McNutt		
Rep. Morgan		

Montana State Senate Roll Call Vote

FREE CONFERENCE COMMITTEE

Date _____

HB/SB # 645

1154
(645-5)

<u>NAME</u>	YES	NO
Sen. Esp	✓	
Sen. Peterson	✓	
Sen. Keane	✓	
Rep. Seno		
Rep. Hiner		
Rep. McNitt		
Rep. Morgan		

Montana State Senate Roll Call Vote

FREE CONFERENCE COMMITTEE

Date 4-27-09

HB/SB # 645

HB 06453 P. 25 p

NAME	YES	NO
Sen. Esp		✓
Sen. Peterson		✓
Sen. Keane	✓	
Rep. Sarno	✓	
Rep. Hiner	✓	
Rep. McNitt	✓	
Rep. Morgan	✓	

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the Senate Free Conference Committee

Prepared by Taryn Purdy
April 20, 2009 (1:50pm)

1. Page A-5, line 4.

Strike: "23,000,000 22,000,000" [General fund & State special
revenue FY 10]

Insert: "25,000,000 20,000,000" [General fund & State special
revenue FY 10]

2. Page F-4, line 13.

Strike: "21,500,000 21,500,000" [General fund FY 10 & FY 11]

Insert: "35,034,000 0" [General fund FY 10 & FY 11]

- END -

Explanation - This amendment does two things:

1) Switches funding for the additional \$2.0 million in grants to tribal governments from the school facilities state special revenue (SSR) account to general fund, as the SSR source is meant only for schools.

2) Reduces the transfer of general fund into the school facilities account by \$7,966,000 for:

a) the change in funding source for the tribal grants

b) the elimination by the Senate of specific grants to selected school districts and the virtual high school program of \$5,966,000 from the school facilities SSR.

The net impact of the amendment is to reduce general fund by \$5.966 million and SSR by \$2.0 million.

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the Senate Finance and Claims Committee

Prepared by Taryn Purdy
April 20, 2009 (8:41am)

1. Page B-4, line 8.

Strike: "1,000,000 0 1,000,000 0" [General fund and federal funds FY 10 & FY 11]

Insert: "1,000,000 1,000,000" [Federal funds FY 10 & FY 11]

2. Page B-6, line 12.

Strike: "1,500,000 0 1,500,000 0" [General fund and federal funds FY 10 and FY 11]

Insert: "58,919 1,441,081 58,918 1,441,082" [General fund and federal funds FY 10 and FY 11]

3. Page D-4, line 2.

Strike: "73,225 0 73,620 0" [General fund and federal funds FY 10 & FY 11]

Insert: "73,225 73,620" [Federal funds FY 10 & FY 11]

4. Page D-4, line 5.

Strike: "997,547 0 1,002,781 0" [General fund and federal funds FY 10 & FY 11]

Insert: "997,547 1,002,781" [Federal funds FY 10 & FY 11]

5. Page D-4, line 8.

Strike: "282,040 0 283,346 0" [General fund and federal funds FY 10 & FY 11]

Insert: "282,040 283,346" [Federal funds FY 10 & FY 11]

- END -

Explanation - This amendment switches funding from several items currently funded with general fund to unallocated federal fiscal stabilization funds. The net impact is to reduce general fund by \$7,594,722 and increase federal funds by a like amount. This amendment allocates all of the general government fiscal stabilization funds.

Item 1: County Grants (Asbestos) DPHHS - \$1.0 million each year (\$2.0 million total)

Item 2: Nonmedicaid Community Aging Services DPHHS - Total \$2,882,163, leaving \$117,837 general fund over the biennium

Items 3, 4, and 5: Overtime for 24/7 Employees Corrections - Total \$1,352,812 in FY 10 and \$1,359,747 in FY 11 (\$2,712,559 total for the biennium)

Amendments to House Bill No. 645
Reference Copy

For the House Free Conference Committee

Prepared by Matthew Stayner
April 20, 2009 (10:07am)

1. Page 63, line 17 through 19.

Following: "MUST RECEIVE \$5,000 PLUS" on line 17

Strike: remainder of line 17 through line 19 in their entirety

Insert: "a proportional share of the funds remaining from the \$10 million. The proportional share is calculated by allocating 50% of the remaining funds to each city and town based upon the distribution formula in 15-70-101(2)(c) and 50% of the remaining funds to each city and town based upon the percentage that the population of each city or town bears to the total population of all cities and towns."

2. Page 66, line 8.

Strike: "MORTGAGE LOAN ASSISTANCE"

Insert: "Welcome home loan"

3. Page 70, line 8.

Strike: line 8 in its entirety

Renumber: subsequent subsections

4. Page 70, line 9.

Strike: "tribal"

Insert: "Indian country"

5. Page 70, line 11.

Following: "(iv) the"

Insert: "Montana"

6. Page 70, line 17.

Strike: "FOR THAT PURPOSE"

Insert: "for BASE aid"

7. Page 70, line 18.

Following: "2011;"

Strike: "AND"

8. Page 70, line 20.

Following: "FY 2011"

Insert: "; and (e) to the office of the commissioner of higher

education for Replace 6-Mill Levy Revenue Shortfall With Federal General Stabilization Funds, then House Bill No. 2 is reduced by \$1,447,296 in fiscal year 2010 and \$1,046,625 in fiscal year 2011."

9. Page 71, line 1.

Strike: "the amount of the difference between the amount specified in subsection (1) and"

10. Page 71, line 21 through page 72, line 1.

Strike: "the amount" on page 71, line 21 through a" (2)and" on page 72, line 1

11. Page 72, line 2 through line 3.

Strike: line 2 through line 3 in their entirety

12. Page 72, line 16 through line 17.

Strike: "of the difference" on page 72, line 16 through "and the amount" on page 72, line 17

13. Page A-2, line 11.

Following: "a."

Insert: "Montana"

14. Page A-2, line 16.

Strike: "Tribal"

Insert: "Indian Country"

15. Page A-6, line 11.

Strike: "3,536,800 11,497,200" [state special revenue FY 10 and FY 11]

Insert: "34,000" [state special revenue FY 11]

16. Page A-8.

Following: line 3

Insert: "c. Quick Start Energy Grants 15,000,000" [state special revenue FY 10]

17. Page E-9.

Strike: line 14 through line 15 in their entirety

- END -

Explanation - Items 2,4,5,13, and 14 correct the names of programs to provide consistency throughout the bill and in conjunction with coordinated bills.

Items 8,9 and 12 correct the coordinating language related to reductions in other bills related to the amount appropriated in this bill when the appropriation in this bill is less than the total appropriation in other bills. This change in language ensures that the total appropriation for a specified item referenced by these sections that is funded between this and another bill is no more or less than the original appropriation in any single bill.

Item 1 clarifies the language related to how the grants to cities and towns are to be distributed.

Items 3 and 11 remove coordination language related to the worker training program and access Montana funding that have been removed from this bill.

Item 6 corrects the language for stabilization funding for K-12 to correspond to the HB 2 appropriation.

Items 15 and 16 segregate the quality schools facilities program administration funding from the quick start energy grants to clarify the use of the funding for these two items.

Item 7,8 and 17 clarifies the conditioning language related to the change OCHE appropriation distribution transfer in HB2 resulting from funding to replace the 6-mil levy revenue shortfall in this bill.

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the House Free Conference Committee

Prepared by Greg Petesch
April 24, 2009 (8:17am)

1. Page 63, line 20 through page 64, line 8.

Following: "USED FOR" on line 20

Insert: ": (a) the following county projects: Beaverhead, county courthouse repair; Big Horn, Little Horn road reconstruction; Blaine, county building improvements; Broadwater, county road chip seal; Carbon, West Fork road expansion; Carter, gravel crushing; Cascade, county building energy performance contract; Chouteau, county road repair and reconstruction; Custer, county road and buildings, including Silo Loop road, Pine Hills improvement, and county building repair and remodel; Daniels, county road gravel screening/crushing; Dawson, county building repair/remodel/construction; Deer Lodge, energy upgrades and renovation of city hall; Fallon, county road and parks shop building; Fergus, Scott Crossing bridge replacement; Flathead, Mennonite Church and Creston roads construction; Gallatin, fairgrounds restroom construction and replacement; Garfield, county building heating/cooling system replacement; Glacier, Glacier County jail/detention center; Golden Valley, fire hall and roads; Granite, Metesch Lane bridge replacement; Hill, Sheppard and Bulhook roads pavement overlay; Jefferson, Boulder south campus sewer replacement; Judith Basin, replace Arrow Creek and Judith River bridge; Lake, South Valley Creek bridge replacement, Skyline bridge repair, and courthouse weatherization; Lewis and Clark, Lewis and Clark County fairgrounds plaza; Liberty, Liberty senior center; Lincoln, Tobacco Valley industrial park infrastructure improvements; Madison, Madison County office renovation and bridge improvement projects; McCone, geothermal heat loop courthouse retrofit; Meagher, county building energy efficiency and handicap accessibility updates; Mineral, Mineral County jail and courthouse restoration and repair; Missoula, Big Flat road reconstruction; Musselshell, Goffena bridge replacement; Park, 9th Street bridge replacement; Petroleum, courthouse windows, Dovetail Creek crossing, and Petroleum County road upgrade; Phillips, courthouse parking lot and sidewalk projects; Pondera, Pondera County community and senior center remodel; Powder River, county road reconstruction and gravel; Powell, energy efficient windows and boiler for

county courthouse; Prairie, county fairgrounds grandstand replacement and Terry park facilities renovation; Ravalli, Ambrose Creek road pavement preservation; Richland, Spring Lake road reconstruction; Roosevelt, energy efficient courthouse windows project; Rosebud, Ingomar water and sewer project and Forsyth library elevator project; Sanders, high bridge reconstruction; Sheridan, county road gravel and engineering, county road gravel crushing, Plentywood bypass route; Silver Bow, county road repair and maintenance; Stillwater, county courthouse and bridge; Sweet Grass, Pioneer medical center renovation; Teton, county nursing home and county road gravel; Toole, energy efficient lighting for Toole County hospital; Treasure, county building renovations; Valley, Valley County detention center addition; Wheatland, county road shop and Harlowtown fire hall; Wibaux, county fairgrounds exhibit building; Yellowstone, Clapper Flat and Vandaveer roads and courthouse remodel; and

(b) the following city and town projects: Alberton, street repairs and paving; Anaconda-Deer Lodge, energy upgrades and renovation of city hall; Bainville, Simard Park improvements -- sprinkler systems and sidewalks; Baker, storm drain installation on South Montana 7 and Secondary 322; Bearcreek, town hall renovation and repairs; Belgrade, street intersection reconstruction and sidewalk extension; Belt, replace concrete water storage tank; Big Sandy, sewer main replacement and resurface Johannes Avenue; Big Timber, Anderson Street asphalt overlay project; Billings, reconstruction of Alkali Creek Road; Boulder, water system treatment project; Bozeman, water system treatment project, water reclamation facility -- water treatment plant design, recreation facility improvements, sidewalks and restroom upgrades in parks, and debris removal; Bridger, street and sidewalk repairs; Broadus, addition to city hall for police department and sewer lagoon repairs; Broadview, general repairs and maintenance; Brockton, wastewater system repairs and street and alley repairs; Browning, new fire hall; Butte-Silver Bow, road repairs and maintenance; Cascade, one block sewer main replacement; Chester, chip seal town streets; Chinook, city hall repair and improvements and paint armory building; Choteau, city hall-fire station remodel and replace unit heaters in Pavilion building;

Circle, purchase street patcher equipment and sewer treatment plant; Clyde Park, construction of Lathrop Street; Colstrip, Orchard lift station replacement; Columbia Falls, street construction and improvements; Columbus, replace curb, gutter, and sidewalk on Pike Avenue; Conrad, replace hydrants and valves and overlay Dakota Street; Culbertson, architecture design of new fire hall; Cut Bank, final engineering and design work for Railroad Street; Darby, water system improvement project; Deer Lodge, phase 1 sewer rehabilitation collection system; Denton,

water-sewer upgrades, building repairs, and street repairs; Dillon, Glendale street project; Dodson, street repairs; Drummond, street repairs and park maintenance; Dutton, city park improvements; East Helena, renovate city hall; Ekalaka, bridge and street repair; Ennis, town hall expansion and remodel project; Eureka, repair main arterial road; Fairfield, design and erect new fire hall, televise sewer lines, and replace hydrants; Fairview, park bathrooms renovation; Flaxville, water storage tank repairs; Forsyth, water storage tank and water works repairs; Fort Benton, chip seal city streets, U.S. highway 87 repairs, and airport runway improvements; Fort Peck, replace aging fire hydrants; Froid, water storage reservoir replacement; Fromberg, street and sidewalk repairs; Geraldine, main sewer line extension; Glasgow, rehabilitate southside lift station; Glendive, street reconstruction; Grass Range, water, sewer, and street repairs; Great Falls, West Bank street and right-of-way improvement and civic center roof repair; Hamilton, Tenth street reconstruction; Hardin, new fire hall; Harlem, city hall renovation and weatherization and street maintenance; Harlowton, replace sidewalks and install handicapped curbs; Havre, new lift station and recoat concrete water tank; Helena, Centennial Park trail system construction; Hingham, sewer project, street and sidewalk repairs, and fire hydrants; Hobson, extend water to boulevard on Main Street; Hot Springs, remodel fire hall and repair streets; Hysham, overlay town streets; Ismay, general repairs and maintenance; Joliet, sewer and water improvements; Jordan, improve existing streets; Judith Gap, Fourth Avenue street improvements; Kalispell, street projects; Kevin, drainage, culvert, and road repairs; Laurel, open ditch mitigation near middle school; Lavina, install new water system; Lewistown, chip seal streets; Libby, sewer main extension to Cabinet Heights; Lima, regravels streets and park shelter; Livingston, safety and building repairs to Sacajawea Park and repairs to sidewalks and streets; Lodge Grass, sewer lagoon; Malta, water and sewer line repairs and maintenance and street paving and repairs; Manhattan, sidewalk extensions, repairs, and maintenance; Medicine Lake, sewer lagoon maintenance, water tower, and waterworks repairs; Melstone, install fire hydrants, water and sewer installation to community center, and sidewalks, curbs, and gutters; Miles City, stormwater system sediment removal and debris removal; Missoula, ADA sidewalk ramps and North Higgins streetscape; Moore, street repairs and capital improvements; Nashua, sewer and water main replacements; Neihart, streets and capital improvements; Opheim, water system and general repairs; Outlook, connect water system to new well; Philipsburg, replace water and sewer lines; Pinesdale, capital improvements and repairs; Plains, city hall renovations including ADA bathrooms and furnace and air conditioning; Plentywood, engineering study of wastewater treatment system, replace sidewalk at city hall and add gutter system, and chip seal streets; Plevna, culvert and drainage

improvements and chip seal streets; Polson, Riverside water main replacement; Poplar, street repairs after water line installation; Red Lodge, roof repairs on city hall and police station; Rexford, community center siding and repairs; Richey, road repairs and maintenance; Ronan, repair and overlay Third Avenue Northwest; Roundup, curbs, gutters, and sidewalks on Second Avenue East; Ryegate, city park improvements; Saco, street repairs and maintenance; Saint Ignatius, street paving and pedestrian path and other park repairs; Scobey, weatherize city hall; Shelby, street repairs; Sheridan, street repairs and maintenance; Sidney, Twenty-Second Avenue Northwest reconstruction; Stanford, street intersection improvements and replacements; Stevensville, repair and replace roof on town hall complex building; Sunburst, resurface streets, ADA curbs and gutters, and other street repair; Superior, water construction phase II, street repairs, and renovate park buildings; Terry, park improvements; Thompson Falls, street repairs and replace water meters with radio read meters; Three Forks, pave streets and equip parks and recreation facilities; Townsend, Broadway sidewalk replacement; Troy, city hall restoration; Twin Bridges, public walking path connecting parks; Valier, install water tank, new water meters, and water lines and trunks; Virginia City, remodel and relocate city hall; Walkerville, street improvements; West Yellowstone, wastewater improvements; Westby, resurface streets; White Sulphur Springs, patch and repair city streets; Whitefish, new emergency services building; Whitehall, new ambulance building, wastewater improvements, and debris removal; Wibaux, remodel park bathroom as handicapped accessible; Winifred, drainage projects; Winnett, street drainage improvements; Wolf Point, gate valve and hydrant replacement; or
(c) "

2. Page 64, line 1.

Strike: "(A)"

Insert: "(i)"

Renumber: subsequent subsections

3. Page 64.

Following: line 8

Insert: "(3) The governing body of a county, city, or town may choose to propose to the department of commerce an alternate project to those listed in subsections (2)(a) and (2)(b) based on the criteria in subsection (2)(c). If the alternate project meets the criteria in subsection (2)(c), the department shall approve the project."

Renumber: subsequent subsection

- END -



Montana Association of Counties

Meeting Montana's Counties Since 1909

2715A SKYWAY DR. HELENA, MT 59602

(406) 444-4300
Fax (406) 442-4300
www.maco.org

DATE: April 24, 2009
TO : Members of the Free Conference Committee on HB 645
FROM: Harold Blattie, Executive Director
RE: HB 645 - County and City Projects

With your action this morning to enumerate the county and city projects in HB 645 through the adoption of amendment HB0645535.agp, I respectfully request your consideration of four changes requested by counties.

Deer Lodge County (County Allocation)

DELETE: energy upgrades and renovation of city hall"
INSERT: "street light renovation"

Lincoln County

INSERT: Kootenai business park improvements

Powder River County

DELETE: " county road reconstruction and gravel"
INSERT: "Powder River County fire hall"

Anaconda -Deer Lodge (City Allocation)

DELETE: energy upgrades and renovation of city hall"
INSERT: "street light renovation"

Anaconda Deer Lodge County originally requested street light renovations for both their city and county projects and are what both MACo and the League of Cities and Towns submitted. When HB 645 came out of House Appropriations, ADL's projects had been changed from what was requested. This change will restore their original request.

Lincoln County submitted two projects, however I inadvertently omitted the Kootenai Business Park project. This change will also restore the county's original request.

Powder River County was under the understanding that they could not submit a project that already involved the use of any federal funding because generally federal funds cannot be used to match federal funds. When House Appropriations took up executive action, the question of whether the funds allocated for city and county projects was federal money or freed-up general funds, the response was the latter. With this information, Powder River County would like to change their designated project to the Powder River County Fire Hall

Amendments to House Bill No. 645
Reference Copy

Requested by Senator Keith Bales

For the Free Conference Committee

Prepared by Pamela Joehler
April 22, 2009 (8:41am)

1. Page E-9, line 10.

Following: "ASSISTANCE"

Strike: "WILL"

Insert: "must"

2. Page E-9, line 11.

Following: "FOLLOWS:"

Strike: remainder of line 11

Insert: "\$400,000 to Flathead Valley community college, \$700,000 to Miles community college, and \$700,000 to Dawson community college."

- END -

Explanation - This amendment changes the distribution of the \$1.8 million appropriation to the community colleges by distributing \$700,000 each to Miles and Dawson Community Colleges and \$400,000 to Flathead Valley Community College. The distribution in the current bill allocates \$900,000 to Flathead Valley Community College and \$450,000 each to Miles and Dawson Community College.

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the House Free Conference Committee

Prepared by Greg Petesch
April 23, 2009 (7:44am)

1. Page 14, line 18.

Strike: "81"

Insert: "82"

2. Page 15, line 15.

Strike: "81"

Insert: "82"

3. Page 24, line 14.

Strike: "81"

Insert: "82"

4. Page 24, line 17.

Strike: "81"

Insert: "82"

5. Page 63, line 8.

Strike: "81"

Insert: "82"

6. Page 65, line 2.

Strike: "81"

Insert: "82"

7. Page 65, line 5.

Strike: "81"

Insert: "82"

8. Page 71, line 2.

Strike: "81"

Insert: "82"

9. Page 72, line 1.

Strike: "81"

Insert: "82"

10. Page 72, line 17.

Strike: "81"

Insert: "82"

11. Page 73, line 5.

Strike: "81"

Insert: "82"

12. Page 73, line 12.

Strike: "81"

Insert: "82"

13. Page 73, line 19.

Strike: "81"

Insert: "82"

14. Page 75, line 4.

Insert: "NEW SECTION. Section 80. Voided appropriation -- use -- appropriation. If a general fund appropriation contained in [section 82] is voided or vetoed, then the amount of the voided or vetoed general fund appropriation is appropriated to the department of commerce. The department shall use 50% of the appropriation for distribution to counties pursuant to [section 56(1)(a)] and 50% of the appropriation for distribution to cities and towns pursuant to [section 56(1)(b)]."

Renumber: subsequent sections

15. Page 75, line 5.

Strike: "81"

Insert: "82"

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the House Free Conference Committee

Prepared by Greg Petesch
April 24, 2009 (3:32pm)

1. Page 63, line 20 through page 64, line 8.

Following: "USED FOR" on line 20

Insert: ": (a) the following county projects: Beaverhead, county courthouse repair; Big Horn, Little Horn road reconstruction; Blaine, county building improvements; Broadwater, county road chip seal; Carbon, West Fork road expansion; Carter, gravel crushing; Cascade, county building energy performance contract; Chouteau, county road repair and reconstruction; Custer, county road and buildings, including Silo Loop road, Pine Hills improvement, and county building repair and remodel; Daniels, county road gravel screening/crushing; Dawson, county building repair/remodel/construction; Deer Lodge, street light renovation; Fallon, county road and parks shop building; Fergus, Scott Crossing bridge replacement; Flathead, Mennonite Church and Creston roads construction; Gallatin, fairgrounds restroom construction and replacement; Garfield, county building heating/cooling system replacement; Glacier, Glacier County jail/detention center; Golden Valley, fire hall and roads; Granite, Metesch Lane bridge replacement; Hill, Sheppard and Bulhook roads pavement overlay; Jefferson, Boulder south campus sewer replacement; Judith Basin, replace Arrow Creek and Judith River bridge; Lake, South Valley Creek bridge replacement, Skyline bridge repair, and courthouse weatherization; Lewis and Clark, Lewis and Clark County fairgrounds plaza; Liberty, Liberty senior center; Lincoln, Tobacco Valley industrial park infrastructure improvements and Kootenai business park improvements; Madison, Madison County office renovation and bridge improvement projects; McCone, geothermal heat loop courthouse retrofit; Meagher, county building energy efficiency and handicap accessibility updates; Mineral, Mineral County jail and courthouse restoration and repair; Missoula, Big Flat road reconstruction; Musselshell, Goffena bridge replacement; Park, 9th Street bridge replacement; Petroleum, courthouse windows, Dovetail Creek crossing, and Petroleum County road upgrade; Phillips, courthouse parking lot and sidewalk projects; Pondera, Pondera County community and senior center remodel; Powder River, Powder River County fire hall; Powell, energy efficient windows and boiler for

county courthouse; Prairie, county fairgrounds grandstand replacement and Terry park facilities renovation; Ravalli, Ambrose Creek road pavement preservation; Richland, Spring Lake road reconstruction; Roosevelt, energy efficient courthouse windows project; Rosebud, Ingomar water and sewer project and Forsyth library elevator project; Sanders, high bridge reconstruction; Sheridan, county road gravel and engineering, county road gravel crushing, Plentywood bypass route; Silver Bow, county road repair and maintenance; Stillwater, county courthouse and bridge; Sweet Grass, Pioneer medical center renovation; Teton, county nursing home and county road gravel; Toole, energy efficient lighting for Toole County hospital; Treasure, county building renovations; Valley, Valley County detention center addition; Wheatland, county road shop and Harlowtown fire hall; Wibaux, county fairgrounds exhibit building; Yellowstone, Clapper Flat and Vandaveer roads and courthouse remodel; and

(b) the following city and town projects: Alberton, street repairs and paving; Anaconda-Deer Lodge, street light renovation; Bainville, Simard Park improvements -- sprinkler systems and sidewalks; Baker, storm drain installation on South Montana 7 and Secondary 322; Bearcreek, town hall renovation and repairs; Belgrade, street intersection reconstruction and sidewalk extension; Belt, replace concrete water storage tank; Big Sandy, sewer main replacement and resurface Johannes Avenue; Big Timber, Anderson Street asphalt overlay project; Billings, reconstruction of Alkali Creek Road; Boulder, water system treatment project; Bozeman, water system treatment project, water reclamation facility -- water treatment plant design, recreation facility improvements, sidewalks and restroom upgrades in parks, and debris removal; Bridger, street and sidewalk repairs; Broadus, addition to city hall for police department and sewer lagoon repairs; Broadview, general repairs and maintenance; Brockton, wastewater system repairs and street and alley repairs; Browning, new fire hall; Butte-Silver Bow, road repairs and maintenance; Cascade, one block sewer main replacement; Chester, chip seal town streets; Chinook, city hall repair and improvements and paint armory building; Choteau, city hall-fire station remodel and replace unit heaters in Pavilion building; Circle, purchase street patcher equipment and sewer treatment plant; Clyde Park, construction of Lathrop Street; Colstrip, Orchard lift station replacement; Columbia Falls, street construction and improvements; Columbus, replace curb, gutter, and sidewalk on Pike Avenue; Conrad, replace hydrants and valves and overlay Dakota Street; Culbertson, architecture design of new fire hall; Cut Bank, final engineering and design work for Railroad Street; Darby, water system improvement project; Deer Lodge, phase 1 sewer rehabilitation collection system; Denton, water-sewer upgrades, building repairs, and street repairs;

Dillon, Glendale street project; Dodson, street repairs; Drummond, street repairs and park maintenance; Dutton, city park improvements; East Helena, renovate city hall; Ekalaka, bridge and street repair; Ennis, town hall expansion and remodel project; Eureka, repair main arterial road; Fairfield, design and erect new fire hall, televise sewer lines, and replace hydrants; Fairview, park bathrooms renovation; Flaxville, water storage tank repairs; Forsyth, water storage tank and water works repairs; Fort Benton, chip seal city streets, U.S. highway 87 repairs, and airport runway improvements; Fort Peck, replace aging fire hydrants; Froid, water storage reservoir replacement; Fromberg, street and sidewalk repairs; Geraldine, main sewer line extension; Glasgow, rehabilitate southside lift station; Glendive, street reconstruction; Grass Range, water, sewer, and street repairs; Great Falls, West Bank street and right-of-way improvement and civic center roof repair; Hamilton, Tenth street reconstruction; Hardin, new fire hall; Harlem, city hall renovation and weatherization and street maintenance; Harlowton, replace sidewalks and install handicapped curbs; Havre, new lift station and recoat concrete water tank; Helena, Centennial Park trail system construction; Hingham, sewer project, street and sidewalk repairs, and fire hydrants; Hobson, extend water to boulevard on Main Street; Hot Springs, remodel fire hall and repair streets; Hysham, overlay town streets; Ismay, general repairs and maintenance; Joliet, sewer and water improvements; Jordan, improve existing streets; Judith Gap, Fourth Avenue street improvements; Kalispell, street projects; Kevin, drainage, culvert, and road repairs; Laurel, open ditch mitigation near middle school; Lavina, install new water system; Lewistown, chip seal streets; Libby, sewer main extension to Cabinet Heights; Lima, regravels streets and park shelter; Livingston, safety and building repairs to Sacajawea Park and repairs to sidewalks and streets; Lodge Grass, sewer lagoon; Malta, water and sewer line repairs and maintenance and street paving and repairs; Manhattan, sidewalk extensions, repairs, and maintenance; Medicine Lake, sewer lagoon maintenance, water tower, and waterworks repairs; Melstone, install fire hydrants, water and sewer installation to community center, and sidewalks, curbs, and gutters; Miles City, stormwater system sediment removal and debris removal; Missoula, ADA sidewalk ramps and North Higgins streetscape; Moore, street repairs and capital improvements; Nashua, sewer and water main replacements; Neihart, streets and capital improvements; Opheim, water system and general repairs; Outlook, connect water system to new well; Philipsburg, replace water and sewer lines; Pinesdale, capital improvements and repairs; Plains, city hall renovations including ADA bathrooms and furnace and air conditioning; Plentywood, engineering study of wastewater treatment system, replace sidewalk at city hall and add gutter system, and chip seal streets; Plevna, culvert and drainage improvements and chip seal streets; Polson, Riverside water main

replacement; Poplar, street repairs after water line installation; Red Lodge, roof repairs on city hall and police station; Rexford, community center siding and repairs; Richey, road repairs and maintenance; Ronan, repair and overlay Third Avenue Northwest; Roundup, curbs, gutters, and sidewalks on Second Avenue East; Ryegate, city park improvements; Saco, street repairs and maintenance; Saint Ignatius, street paving and pedestrian path and other park repairs; Scobey, weatherize city hall; Shelby, street repairs; Sheridan, street repairs and maintenance; Sidney, Twenty-Second Avenue Northwest reconstruction; Stanford, street intersection improvements and replacements; Stevensville, repair and replace roof on town hall complex building; Sunburst, resurface streets, ADA curbs and gutters, and other street repair; Superior, water construction phase II, street repairs, and renovate park buildings; Terry, park improvements; Thompson Falls, street repairs and replace water meters with radio read meters; Three Forks, pave streets and equip parks and recreation facilities; Townsend, Broadway sidewalk replacement; Troy, city hall restoration; Twin Bridges, public walking path connecting parks; Valier, install water tank, new water meters, and water lines and trunks; Virginia City, remodel and relocate city hall; Walkerville, street improvements; West Yellowstone, wastewater improvements; Westby, resurface streets; White Sulphur Springs, patch and repair city streets; Whitefish, new emergency services building; Whitehall, new ambulance building, wastewater improvements, and debris removal; Wibaux, remodel park bathroom as handicapped accessible; Winifred, drainage projects; Winnett, street drainage improvements; Wolf Point, gate valve and hydrant replacement; or
(c) "

2. Page 64, line 1.

Strike: "(A)"

Insert: "(i)"

Renumber: subsequent subsections

3. Page 64.

Following: line 8

Insert: "(3) The governing body of a county, city, or town may choose to propose to the department of commerce an alternate project to those listed in subsections (2)(a) and (2)(b) based on the criteria in subsection (2)(c). If the alternate project meets the criteria in subsection (2)(c), the department shall approve the project."

Renumber: subsequent subsection

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Senator Jim Keane

For the House Free Conference Committee

Prepared by Greg Petesch
April 21, 2009 (1:06pm)

1. Title, line 12.

Following: "ACCOUNT;"

Insert: "INCREASING THE ELIGIBILITY FOR CASH ASSISTANCE BENEFITS
FROM THE TANF BLOCK GRANT;"

2. Title, line 21.

Following: "~~53-4-1115,~~"

Insert: "53-4-212,"

3. Page 3, line 20.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

4. Page 3, line 21.

Strike: "45"

Insert: "46"

5. Page 4, line 13.

Strike: "43"

Insert: "44"

6. Page 4, line 14.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

7. Page 4, line 19.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

8. Page 4, line 20.

Strike: "45"

Insert: "46"

9. Page 5, line 11.

Strike: "43"
Insert: "44"

10. Page 5, line 12.
Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

11. Page 6, line 16.
Strike: "43"
Insert: "44"

12. Page 6, line 17.
Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

13. Page 7, line 11.
Strike: "43"
Insert: "44"

14. Page 7, line 12.
Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

15. Page 8, line 8.
Strike: "43"
Insert: "44"

16. Page 8, line 9.
Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

17. Page 8, line 21.
Strike: "43"
Insert: "44"

18. Page 9, line 1.
Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

19. Page 11, line 9.

Strike: "43"
Insert: "44"

20. Page 11, line 9.
Strike: "43"
Insert: "44"

21. Page 12, line 4.
Strike: "43"
Insert: "44"

22. Page 13, line 1.
Strike: "43"
Insert: "44"

23. Page 13, line 18.
Strike: "43"
Insert: "44"

24. Page 14, line 18.
Strike: "81"
Insert: "82"

25. Page 15, line 15.
Strike: "81"
Insert: "82"

26. Page 20, line 2.
Strike: "52"
Insert: "53"

27. Page 21, line 6.
Strike: "42(1)"
Insert: "43(1)"

28. Page 21, line 7.
Strike: "43"
Insert: "44"

29. Page 21, line 12.
Strike: "42(1)"
Insert: "43(1)"
Strike: "43"
Insert: "44"

30. Page 24, line 14.
Strike: "81"
Insert: "82"

31. Page 24, line 17.

Strike: "81"

Insert: "82"

32. Page 27, line 16.

Strike: "43"

Insert: "44"

33. Page 34.

Following: line 10

Insert: "Section 32. Section 53-4-212, MCA, is amended to read:

"53-4-212. Department to make rules. (1) The department shall make rules and take action as necessary or desirable for the administration of public assistance programs.

(2) The Subject to subsection (3), the department shall adopt rules that may include but are not limited to rules concerning:

(a) eligibility requirements, including gross and net income limitations, resource limitations, and income and resource exclusions;

(b) amounts of assistance, methods for computing benefit amounts, and the length of time for which benefits may be granted;

(c) the degree of kinship required for a person to qualify as a specified caretaker relative in order to be eligible for assistance;

(d) procedures and policies for employment and training programs, requirements for participation in employment and training programs, and exemptions, if any, from participation requirements;

(e) requirements for specified caretaker relatives, including cooperation with assessments, the number of hours of participation required for each month, specific activities required to address employment barriers, and other terms of performance;

(f) eligibility for and terms and conditions of child-care assistance for financial assistance recipients, including maximum amounts of assistance payable and amounts of copayments required by specified caretaker relatives;

(g) eligibility criteria and participation requirements for nonfinancial assistance recipients;

(h) terms of ineligibility or sanctions against a specified caretaker relative or other family member who fails to enter into a family investment agreement, as provided for in 53-4-606, or to comply with the individual's obligations under the agreement, including the length of the period of ineligibility, if any;

(i) requirements, if any, for participation in the employment and training demonstration project;

(j) eligibility for and terms and conditions of extended medical assistance benefits;

(k) reporting requirements;

(l) sanctions, disqualification, or other penalties for failure or refusal to comply with the rules or requirements of a public assistance program;

(m) exemptions from the 60-month limitation on assistance provided in 53-4-231 based on hardship or for families that include an individual who has been battered or subjected to extreme cruelty, as defined in section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 608, including but not limited to the duration of the exemption;

(n) individuals who must be included as members of an assistance unit;

(o) categories of aliens who may receive assistance, if any;

(p) requirements relating to the assignment of child and medical support rights and cooperation in establishing paternity and obtaining child and medical support;

(q) requirements for eligibility and other terms and conditions of other programs to strengthen and preserve families;

(r) special eligibility or participation requirements applicable to teenage parents, if any;

(s) conditions under which assistance may be continued when an adult or a dependent child is temporarily absent from the home and the length of time for which assistance may be continued;

(t) any random drug testing or reporting requirements for persons who are required to comply with the conditions provided under 53-4-231(3) and graduated sanctions that may include terms of ineligibility for violations of conditions of supervision or treatment requirements. The department may enter into agreements with the department of corrections regarding testing and reporting on offenders under the supervision of the department of corrections.

(u) approved educational programs, appropriate educational courses of study, employee assessment instruments, and administration of the Montana parents as scholars program provided for in 53-4-209.

(3) The department shall raise the eligibility standard for individuals receiving cash assistance benefits from the federal TANF block grant from at or below 30% of the 2002 federal poverty level to at or below 30% of the 2009 federal poverty level for the period from July 1, 2009, through September 30, 2010. Beginning October 1, 2010, the department shall reduce the eligibility standard to 30% of the 2006 federal poverty level. If the TANF caseload increases to a point that expenditures jeopardize the TANF block grant, the department, after consultation with the legislative finance committee, may lower the eligibility standard as provided in subsection (2)."

{ Internal References to 53-4-212: None. }

Renumber: subsequent sections

34. Page 44, line 18.
Strike: "42"
Insert: "43"

35. Page 45, line 1.
Strike: "43"
Insert: "44"

36. Page 45, line 19.
Strike: "43"
Insert: "44"

37. Page 48, line 19.
Strike: "43"
Insert: "44"

38. Page 48, line 20.
Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

39. Page 63, line 8.
Strike: "81"
Insert: "82"

40. Page 65, line 2.
Strike: "81"
Insert: "82"

41. Page 65, line 5.
Strike: "81"
Insert: "82"

42. Page 66, line 14.
Strike: "59"
Insert: "60"

43. Page 71, line 2.
Strike: "81"
Insert: "82"

44. Page 72, line 1.
Strike: "81"
Insert: "82"

45. Page 72, line 17.
Strike: "81"
Insert: "82"

46. Page 73, line 5.

Strike: "81"

Insert: "82"

47. Page 73, line 12.

Strike: "81"

Insert: "82"

48. Page 73, line 19.

Strike: "81"

Insert: "82"

49. Page 74, line 2.

Strike: "33"

Insert: "34"

50. Page 74, line 3.

Strike: "33"

Insert: "34"

51. Page 74, line 4.

Strike: "52" in both places

Insert: "53" in both places

52. Page 74, line 5.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

53. Page 74, line 6.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

54. Page 74, line 9.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

55. Page 74, line 10.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

56. Page 74, line 11.

Strike: "50" in both places
Insert: "51" in both places
Strike: "51" in both places
Insert: "52" in both places

57. Page 74, line 20.

Strike: "35"
Insert: "36"
Strike: "37"
Insert: "38"

58. Page 75, lines 2 and 3.

Following: "31" on line 2
Strike: remainder of line 2 through "60" on line 3
Insert: "through 33, 35 through 42, 57, 58, 60, and 61"

59. Page 75, line 5.

Strike: "81"
Insert: "82"

60. Page A-9, line 11.

Strike: "56"
Insert: "57"
Strike: "57"
Insert: "58"

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by

For the House Free Conference Committee

Prepared by Greg Petesch
April 20, 2009 (6:03am)

1. Page 14, line 18.

Strike: "81"

Insert: "82"

2. Page 15, line 15.

Strike: "81"

Insert: "82"

3. Page 24, line 14.

Strike: "81"

Insert: "82"

4. Page 24, line 17.

Strike: "81"

Insert: "82"

5. Page 63, line 8.

Strike: "81"

Insert: "82"

6. Page 65, line 2.

Strike: "81"

Insert: "82"

7. Page 65, line 5.

Strike: "81"

Insert: "82"

8. Page 66, line 16.

Insert: "**NEW SECTION. Section 61. Allocation and distribution of increased state support for schools. The superintendent of public instruction shall allocate and distribute the funds appropriated in [section 82] for Increase State Support for Schools With Education Stabilization Funds as follows:**

(1) for fiscal year 2010:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2010 in 20-9-306 by 1.01983;

1.02

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act].

(2) for fiscal year 2011,

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2011 in 20-9-306 by 1.04003; 1, 2

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act]."

Renumber: subsequent sections

9. Page 71, line 2.

Strike: "81"

Insert: "82"

10. Page 72, line 1.

Strike: "81"

Insert: "82"

11. Page 72, line 17.

Strike: "81"

Insert: "82"

12. Page 73, line 5.

Strike: "81"

Insert: "82"

13. Page 73, line 12.

Strike: "81"

Insert: "82"

14. Page 73, line 19.

Strike: "81"

Insert: "82"

15. Page 75, line 3.

Following: "57,"

Insert: "and"

Following: "59"

Strike: ", AND 60"

Insert: "through 61"

16. Page 75, line 5.

Strike: "81"

Insert: "82"

- END -

Amendments to House Bill No. 645
Reference Copy

For the House Free Conference Committee

Prepared by Greg Petesch
April 20, 2009 (12:19pm)

1. Page 75, line 9.

Following: "2011."

Insert: "The office of budget and program planning is authorized to transfer up to \$5 million of the appropriations, authority, or both in this section between the general fund and the federal special revenue fund."

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Representative Jon Sesso

For the Free Conference Committee

Prepared by GREG DEWITT
April 15, 2009 (2:36pm)

1. Page 70.

Strike: line 5 through line 6 in their entirety

Renumber: subsequent subsections

2. Page 70.

Following: line 9

Insert: "(iii) high-performance computing in the amount of
\$2,000,000, then the general fund appropriation for that
purpose in House Bill No. 2 is void;"

Renumber: subsequent subsections

3. Page A-1, line 13 through page A-2, line 8.

Strike: Page A-1, line 13 through page A-2, line 8 in their
entirety

4. Page A-3.

Following: line 15

Insert: "h. High-Performance Computing
1,000,000 1,000,000" [general fund in FY 2010 and FY 2011]

- END -

Explanation - This amendment transfers the \$2.0 million funding for the high-performance computing from the Department of Administration to the Business Resources Division of the Department of Commerce. During the 2009 biennium, but after the executive budget was submitted, the function was transferred to the Department of Commerce and this amendment aligns funding to current program organization.

Page No. 12
4-24-09
FL HB 645

Amendments to House Bill No. 645
Reference Copy

Requested by Senator Keith Bales

For the Senate Free Conference Committee

Prepared by Barbara Smith
April 20, 2009 (8:08am)

1. Page C-5, line 12.

Strike: "2,500,000 2,500,000" [federal special revenue FY10
and FY11]

Insert: "4,250,000 4,250,000" [federal special revenue FY10
and FY11]

- END -

Explanation - This is a technical amendment. This amendment increases the USFS State and Private Forestry Assistance amount from \$2.5 million each year to \$4.25 million each year. The Department of Natural Resources and Conservation was recently notified of the increased award.

HB 10 and HB 645 Coordination - As it is Currently on the Balance Sheet

		General Fund	LRIT
		Revenue	Transfer Appropriation
HB 10			
DOR Imaging System		3.653	3.366
HHS MMIS System		-	3.500
HB 645			
DOR Imaging System	Voided transfer*	-	(3.366)
HHS MMIS System	Voided transfer*	-	(3.500)
	New transfer		3.500
Totals		3.653	6.866

Note that the difference between the transfer in and the appropriation causes an over appropriation.

This leaves the LRIT fund over appropriated. It is uncertain how the Executive would manage this shortfall under these conditions. If the system is not done, then the revenue is overstated. One of these amendments (39 or 36) needs to be adopted.

* language confusing, but this is how it is currently interpreted on the balance sheet

Amendment HB64539.acd - fully fund DOR Imaging

		General Fund	LRIT
		Revenue	Transfer Appropriation
HB 10			
DOR Imaging System		3.653	3.366
HHS MMIS System		-	3.500
HB 645			
DOR Imaging System	Voided transfer*	-	
HHS MMIS System	Voided transfer*	-	
	New transfer		
Totals		3.653	6.866

Note that there is no difference between the transfer in and the appropriation. The account is in balance.

This deletes the changes in transfers in HB 645 and balances the LRIT account. In addition, the DOR Imaging System is clearly funded and the revenue can be counted on.

Amendment HB64536.acd - Remove DOR Imaging

		General Fund	LRIT
		Revenue	Transfer Appropriation
HB 10			
DOR Imaging System			3.366
HHS MMIS System		-	3.500
HB 645			
DOR Imaging System	Voided transfer*	-	(3.366)
HHS MMIS System	Voided transfer*	-	(3.500)
	New transfer		3.500
Totals		-	3.500

Note that there is no difference between the transfer in and the appropriation. The account is in balance.

This deletes the appropriations in HB 10 through an amendment in HB 645 and leaves the voided transfers in HB 645. It clearly eliminates the DOR Imaging System and revenue associated with it.

Amendments to House Bill No. 645
Reference Copy

For the House Free Conference Committee

Prepared by Catherine Duncan
April 21, 2009 (9:38am)

1. Page 72, line 6.
Strike: line 6 in its entirety
Renumber: subsequent subsections
2. Page 72, line 15.
Following: "amount of"
Strike: "a fund transfer or"
3. Page 72, line 16.
Following: "corresponding"
Strike: "transfer or"
4. Page 72, line 17.
Following: "amount"
Strike: "transferred or"
5. Page F-4, line 2 through line 4.
Strike: line 2 through line 4 in their entirety

- END -

Explanation - These amendments eliminate the coordination instruction related to and the transfers to the Long-Range Information Technology Projects fund which replace the HB 10 general fund transfers. Consequently, two HB 10 LRITP projects, the DPHHS Medicaid Management Information System project and DOR Efficiency in Imaging project, will be funded through a transfer in HB 10 (funded with a total HB 10 transfer of \$6.9 million, an increase of current LRITP funding of \$3.4 million) and the projects will not rely on the transfer from HB 645 (reducing the general fund cost of HB 645 by \$3.5 million).

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

FREE CONFERENCE COMMITTEE ON HOUSE BILL 645

Call to Order: Chairman John Esp, on April 25, 2009 at 11:30
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Llew Jones (R)
Sen. Dave Lewis (R)
Sen. Trudi Schmidt (D)

Members Excused: None

Members Absent: None

Staff Present: None

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 645

00:00:00 Reconvene
00:00:12 Chairman Esp

EXECUTIVE ACTION ON HB 645

00:01:14 **Motion:** Sen. Keane moved **TO AMEND HB 645.**
EXHIBIT(frs89hb0645a01)

00:02:03 Sen. Esp

00:02:11 **Vote:** Motion carried 4-0 in the House and 2-1 in the
Senate with Sen. Esp voting no.

00:03:06 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs89hb0645a02)

Discussion:

00:03:09 Chairman Esp
00:03:23 Chairman Esp
00:04:25 Rep. Hiner
00:04:49 Chairman Esp
00:05:30 Taryn Purdy, Legislative Fiscal Division (LFD)
00:05:54 Chairman Esp
00:06:28 Ms. Purdy, LFD
00:07:31 Rep. Peterson amended his motion to insert "tribal
governments" pursuant to [Section 56(1) (b)].

00:09:04 **Vote:** Motion carried unanimously by voice vote.

00:10:12 **Motion:** Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs89hb0645a03)

00:10:36 **Vote:** Motion carried unanimously by voice vote.

00:11:23 **Motion:** Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs89hb0645a04)

Discussion:

00:11:53 Chairman Esp
00:12:38 Rep. Hiner
00:12:59 Chairman Esp

00:13:24 **Vote:** Motion carried unanimously by voice vote.

00:13:44 Chairman Esp

00:14:03 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs89hb0645a05)

Discussion:

00:14:44 Chairman Esp
00:14:51 Ms. Purdy
00:14:59 Chairman Esp
00:18:18 Sen. Peterson
00:19:03 Chairman Esp
00:19:04 Sen. Peterson amended his motion changing #3 "Page B-8"
to "Page B-9" and striking "and" and inserting "or".
00:19:20 Rep. Morgan
00:20:22 Chairman Esp
00:21:53 Rep. Morgan
00:22:53 Chairman Esp
00:23:01 Rep. Morgan
00:23:12 Chairman Esp
00:23:23 Rep. Morgan
00:23:26 Sen. Peterson withdrew his motion.
00:24:15 Chairman Esp
00:24:26 Rep. Morgan
00:24:38 Chairman Esp
00:24:44 Rep. Morgan
00:24:56 Chairman Esp
00:25:01 Rep. Sesso
00:25:05 Chairman Esp
00:26:22 Rep. Sesso
00:27:17 Chairman Esp
00:27:19 Rep. Sesso
00:30:35 Chairman Esp

00:32:22 **Motion:** Rep Sesso moved **TO AMEND HB 645.**
EXHIBIT(frs89hb0645a06)

Discussion:

00:32:29 Rep. Sesso
00:33:58 Chairman Esp

00:34:52 **Vote:** Motion carried 3-0 in the Senate and 4-1 in the
house by voice vote with Rep. Sesso voting no.

00:34:56 Recess
00:45:26 Reconvene

00:45:41 **Motion:** Rep. Hiner moved **TO AMEND HB 645 WITH CONCEPTUAL LANGUAGE THAT IF SB 100 DIES THE MONIES WILL REVERT BACK TO THE COAL BOARD AND ANY OTHER USES OF THESE MONIES ARE VOID.**

EXHIBIT(frs89hb0645a07)

Discussion:

00:46:39 Rep. Hiner

00:49:05 Sen. Esp

Sen. Peterson not present

00:49:52 **Vote:** Motion carried unanimously by voice vote. Sen. Peterson voted by proxy.

00:50:11 Chairman Esp

00:50:15 **Motion:** Rep. Hiner moved **TO AMEND HB 645.**

EXHIBIT(frs89hb0645a08)

Discussion:

00:50:55 Rep. Morgan

00:51:42 **Vote:** Motion carried by voice vote with Sen. Peterson voting by proxy.

00:51:59 Ms. Purdy

00:52:26 **Motion:** Rep. Morgan moved **TO AMEND HB 645** striking "and" and inserting "or" and striking "B-8" and inserting "B-9".

EXHIBIT(frs89hb0645a09)

Sen. Peterson now present

00:53:10 **Vote:** Motion carried unanimously by voice vote.

00:53:37 Chairman Esp

00:53:39 Ms. Purdy

00:53:48 Rep. Sesso

00:54:24 Chairman Esp

ADJOURNMENT

Recessed: 12:45 P.M.

Prudence Gildroy, Secretary

Additional Documents:

EXHIBIT ([frs89hb0645aad.pdf](#))

AUTHORIZED SENATE COMMITTEE PROXY

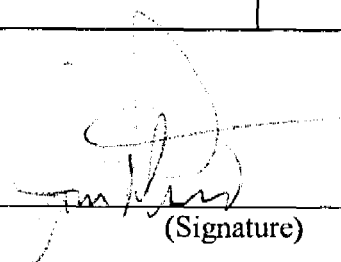
I request to be excused from Free Conf. HB 645 Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Exp

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 064567.4 MS	X	
HB 064539.95 P	X	

BILL/AMENDMENT	AYE	NO

Sen. 
(Signature)

Date 4-25-23

Amendments to House Bill No. 645
Reference Copy

Requested by Senator Jim Keane

For the House Free Conference Committee

Prepared by Greg Petesch
April 21, 2009 (1:06pm)

1. Title, line 12.

Following: "ACCOUNT;"

Insert: "INCREASING THE ELIGIBILITY FOR CASH ASSISTANCE BENEFITS
FROM THE TANF BLOCK GRANT;"

2. Title, line 21.

Following: "~~53-4-1115~~,"

Insert: "53-4-212,"

3. Page 3, line 20.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

4. Page 3, line 21.

Strike: "45"

Insert: "46"

5. Page 4, line 13.

Strike: "43"

Insert: "44"

6. Page 4, line 14.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

7. Page 4, line 19.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

8. Page 4, line 20.

Strike: "45"

Insert: "46"

9. Page 5, line 11.

Strike: "43"
Insert: "44"

10. Page 5, line 12.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

11. Page 6, line 16.

Strike: "43"
Insert: "44"

12. Page 6, line 17.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

13. Page 7, line 11.

Strike: "43"
Insert: "44"

14. Page 7, line 12.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

15. Page 8, line 8.

Strike: "43"
Insert: "44"

16. Page 8, line 9.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

17. Page 8, line 21.

Strike: "43"
Insert: "44"

18. Page 9, line 1.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

19. Page 11, line 9.

Strike: "43"
Insert: "44"

20. Page 11, line 9.
Strike: "43"
Insert: "44"

21. Page 12, line 4.
Strike: "43"
Insert: "44"

22. Page 13, line 1.
Strike: "43"
Insert: "44"

23. Page 13, line 18.
Strike: "43"
Insert: "44"

24. Page 14, line 18.
Strike: "81"
Insert: "82"

25. Page 15, line 15.
Strike: "81"
Insert: "82"

26. Page 20, line 2.
Strike: "52"
Insert: "53"

27. Page 21, line 6.
Strike: "42(1)"
Insert: "43(1)"

28. Page 21, line 7.
Strike: "43"
Insert: "44"

29. Page 21, line 12.
Strike: "42(1)"
Insert: "43(1)"
Strike: "43"
Insert: "44"

30. Page 24, line 14.
Strike: "81"
Insert: "82"

31. Page 24, line 17.

Strike: "81"

Insert: "82"

32. Page 27, line 16.

Strike: "43"

Insert: "44"

33. Page 34.

Following: line 10

Insert: "Section 32. Section 53-4-212, MCA, is amended to read:

"53-4-212. Department to make rules. (1) The department shall make rules and take action as necessary or desirable for the administration of public assistance programs.

(2) The Subject to subsection (3), the department shall adopt rules that may include but are not limited to rules concerning:

(a) eligibility requirements, including gross and net income limitations, resource limitations, and income and resource exclusions;

(b) amounts of assistance, methods for computing benefit amounts, and the length of time for which benefits may be granted;

(c) the degree of kinship required for a person to qualify as a specified caretaker relative in order to be eligible for assistance;

(d) procedures and policies for employment and training programs, requirements for participation in employment and training programs, and exemptions, if any, from participation requirements;

(e) requirements for specified caretaker relatives, including cooperation with assessments, the number of hours of participation required for each month, specific activities required to address employment barriers, and other terms of performance;

(f) eligibility for and terms and conditions of child-care assistance for financial assistance recipients, including maximum amounts of assistance payable and amounts of copayments required by specified caretaker relatives;

(g) eligibility criteria and participation requirements for nonfinancial assistance recipients;

(h) terms of ineligibility or sanctions against a specified caretaker relative or other family member who fails to enter into a family investment agreement, as provided for in 53-4-606, or to comply with the individual's obligations under the agreement, including the length of the period of ineligibility, if any;

(i) requirements, if any, for participation in the employment and training demonstration project;

(j) eligibility for and terms and conditions of extended medical assistance benefits;

(k) reporting requirements;

(l) sanctions, disqualification, or other penalties for failure or refusal to comply with the rules or requirements of a public assistance program;

(m) exemptions from the 60-month limitation on assistance provided in 53-4-231 based on hardship or for families that include an individual who has been battered or subjected to extreme cruelty, as defined in section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 608, including but not limited to the duration of the exemption;

(n) individuals who must be included as members of an assistance unit;

(o) categories of aliens who may receive assistance, if any;

(p) requirements relating to the assignment of child and medical support rights and cooperation in establishing paternity and obtaining child and medical support;

(q) requirements for eligibility and other terms and conditions of other programs to strengthen and preserve families;

(r) special eligibility or participation requirements applicable to teenage parents, if any;

(s) conditions under which assistance may be continued when an adult or a dependent child is temporarily absent from the home and the length of time for which assistance may be continued;

(t) any random drug testing or reporting requirements for persons who are required to comply with the conditions provided under 53-4-231(3) and graduated sanctions that may include terms of ineligibility for violations of conditions of supervision or treatment requirements. The department may enter into agreements with the department of corrections regarding testing and reporting on offenders under the supervision of the department of corrections.

(u) approved educational programs, appropriate educational courses of study, employee assessment instruments, and administration of the Montana parents as scholars program provided for in 53-4-209.

(3) The department shall raise the eligibility standard for individuals receiving cash assistance benefits from the federal TANF block grant from at or below 30% of the 2002 federal poverty level to at or below 30% of the 2009 federal poverty level for the period from July 1, 2009, through September 30, 2010. Beginning October 1, 2010, the department shall reduce the eligibility standard to 30% of the 2006 federal poverty level. If the TANF caseload increases to a point that expenditures jeopardize the TANF block grant, the department, after consultation with the legislative finance committee, may lower the eligibility standard as provided in subsection (2)."

{Internal References to 53-4-212: None.}"

Renumber: subsequent sections

34. Page 44, line 18.

Strike: "42"

Insert: "43"

35. Page 45, line 1.

Strike: "43"

Insert: "44"

36. Page 45, line 19.

Strike: "43"

Insert: "44"

37. Page 48, line 19.

Strike: "43"

Insert: "44"

38. Page 48, line 20.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

39. Page 63, line 8.

Strike: "81"

Insert: "82"

40. Page 65, line 2.

Strike: "81"

Insert: "82"

41. Page 65, line 5.

Strike: "81"

Insert: "82"

42. Page 66, line 14.

Strike: "59"

Insert: "60"

43. Page 71, line 2.

Strike: "81"

Insert: "82"

44. Page 72, line 1.

Strike: "81"

Insert: "82"

45. Page 72, line 17.

Strike: "81"

Insert: "82"

46. Page 73, line 5.

Strike: "81"

Insert: "82"

47. Page 73, line 12.

Strike: "81"

Insert: "82"

48. Page 73, line 19.

Strike: "81"

Insert: "82"

49. Page 74, line 2.

Strike: "33"

Insert: "34"

50. Page 74, line 3.

Strike: "33"

Insert: "34"

51. Page 74, line 4.

Strike: "52" in both places

Insert: "53" in both places

52. Page 74, line 5.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

53. Page 74, line 6.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

54. Page 74, line 9.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

55. Page 74, line 10.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

56. Page 74, line 11.

Strike: "50" in both places
Insert: "51" in both places
Strike: "51" in both places
Insert: "52" in both places

57. Page 74, line 20.

Strike: "35"
Insert: "36"
Strike: "37"
Insert: "38"

58. Page 75, lines 2 and 3.

Following: "31" on line 2

Strike: remainder of line 2 through "60" on line 3

Insert: "through 33, 35 through 42, 57, 58, 60, and 61"

59. Page 75, line 5.

Strike: "81"
Insert: "82"

60. Page A-9, line 11.

Strike: "56"
Insert: "57"
Strike: "57"
Insert: "58"

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the House Free Conference Committee

Prepared by Greg Petesch
April 25, 2009 (7:25am)

1. Page 14, line 18.

Strike: "81"

Insert: "82"

2. Page 15, line 15.

Strike: "81"

Insert: "82"

3. Page 24, line 14.

Strike: "81"

Insert: "82"

4. Page 24, line 17.

Strike: "81"

Insert: "82"

5. Page 63, line 8.

Strike: "81"

Insert: "82"

6. Page 65, line 2.

Strike: "81"

Insert: "82"

7. Page 65, line 5.

Strike: "81"

Insert: "82"

8. Page 71, line 2.

Strike: "81"

Insert: "82"

9. Page 72, line 1.

Strike: "81"

Insert: "82"

10. Page 72, line 17.

Strike: "81"

Insert: "82"

11. Page 73, line 5.

Strike: "81"

Insert: "82"

12. Page 73, line 12.

Strike: "81"

Insert: "82"

13. Page 73, line 19.

Strike: "81"

Insert: "82"

14. Page 75, line 4.

Insert: "NEW SECTION. Section 80. Voided appropriation -- use -- appropriation. If a general fund appropriation contained in [section 82] is voided or vetoed, then the amount of the voided or vetoed general fund appropriation is appropriated to the department of commerce. The department shall use 25% of the appropriation for distribution to counties pursuant to [section 56(1)(a)], 25% of the appropriation for distribution to cities and towns, pursuant to [section 56(1)(b)], 25% of the appropriation for distribution to [section 56(1)], and 25% for distribution to school districts pursuant to [section 56(3)]."
Renumber: subsequent sections

15. Page 75, line 5. *and that is removed*

Strike: "81"

Insert: "82"

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the Senate Free Conference Committee

Prepared by Taryn Purdy
April 20, 2009 (8:01am)

1. Page A-5, line 4.

Strike: "23,000,000 22,000,000" [General fund & State special
revenue FY 10]

Insert: "25,000,000 20,000,000" [General fund & State special
revenue FY 10]

2. Page F-4, line 13.

Strike: "21,500,000 21,500,000" [General fund FY 10 & FY 11]

Insert: "17,517,000 17,517,000" [General fund FY 10 & FY 11]

- END -

Explanation - This amendment does two things:

1) Switches funding for the additional \$2.0 million in grants to tribal governments from the school facilities state special revenue (SSR) account to general fund, as the SSR source is meant only for schools.

2) Reduces the transfer of general fund into the school facilities account by \$7,966,000 for:

a) the change in funding source for the tribal grants

b) the elimination by the Senate of specific grants to selected school districts and the virtual high school program of \$5,966,000 from the school facilities SSR.

The net impact of the amendment is to reduce general fund by \$5.966 million and SSR by \$2.0 million.

Exhibit No. 4
Date 4-25-09
Bill No. 12-163645

Amendments to House Bill No. 645
Reference Copy

For the House Free Conference Committee

Prepared by Greg Petesch
April 25, 2009 (9:25am)

1. Page 75, line 9.

Following: "2011."

Insert: "The office of budget and program planning is authorized to transfer up to \$2 million of the appropriations, authority, or both in this section between the general fund and the federal special revenue fund for the purpose of making adjustments to maintain necessary maintenance of effort and other requirements of the American Recovery and Reinvestment Act of 2009 for the use of both the state general fund and the federal state fiscal stabilization funds."

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the House Free Conference Committee

Prepared by Lois Steinbeck
April 25, 2009 (11:17am)

1. Page B-6, line 16.

Following: "RESTRICTED"

Insert: "/Biennial"

2. Page B-7.

Strike: line 2

Insert: "25,000" [general fund FY 10 and FY11]

"b. Implement House Bill 130 (Biennial/Restricted)

475,000" [general fund FY 10 and FY11]

3. Page B-⁹8, following line 15.

Insert: "Implement HB 130 is contingent upon passage and approval of House Bill No. 130. If House Bill No. 130 is not passed and approved, Implement HB 130 must be used for matching grants for mental health crisis centers."

- END -

Explanation - This amendment reduces the appropriation to implement the mental health crisis diversion pilot program from \$500,000 general fund over the biennium to \$25,000. The remaining \$475,000 is appropriated to implement HB 130 (grant program for local crisis services and jail diversion for mentally ill persons). If HB 130 fails, the \$475,000 must be used as grants for mental health crisis centers.

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the House Free Conference Committee

Prepared by Greg Petesch
April 23, 2009 (7:44am)

1. Page 64.

Following: line 11

Insert: "(4) A recipient of funds under this section must expend the funds by September 30, 2010. Unexpended funds must revert to the state and be deposited in the state general fund. The department of commerce shall disburse the funds to recipients as quickly as possible."

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Representative Cynthia Hiner

For the Senate Free Conference Committee

Prepared by Matthew Stayner
April 25, 2009 (12:17pm)

1. Page 72, line 9.

Strike: "\$2.5"

Insert: "\$3.5"

2. Page A-1.

Following: line 1

Insert: "Legislative Branch (1104)

1. Legislative Committees and Activities (21)

117,084 121,520" [general fund FY 10 and FY 11]

3. Page A-3.

Following: line 15

Insert: "h. New Worker Training Program 655,698 655,698"
[general fund FY 10 and FY 11]

4. Page A-5.

Strike: line 5 through line 7 in their entirety

Renumber: subsequent subsections

5. Page A-5, line 12.

Strike: "1,500,000 1,500,000" [general fund FY 10 and FY 11]

Insert: "2,000,000 2,000,000" [general fund FY 10 and FY 11]

6. Page A-9.

Strike: line 2 through line 3 in their entirety

7. Page B-4.

Following: line 10

Insert: "d. HB 173 -- Implementing National Public Health
Standards (Restricted)
200,000 200,000 [general fund FY10 FY11]"

8. Page B-8.

Following: line 6

Insert: "HB 173 -- Implementing National Public Health Standards may only be used to make grants to local public health agencies."

9. Page D-1, line 6.

Strike: "125,000 125,000" [general fund FY 10 and FY 11]

Insert: "250,000 250,000" [general fund FY 10 and FY 11]

10. Page F-3, line 8.

Strike: "1,250,000 1,250,000" [general fund FY 10 and FY 11]

Insert: "1,750,000 1,750,000" [general fund FY 10 and FY 11]

- END -

Explanation -

Item #1 corrects the coordinating language related to the line item for the appropriation for the Enterprise System Services Center in relation to appropriation for the same purpose in House Bill No. 10. Item #10 increases the appropriation to the Department of Administration for the Enterprise System Services Center by \$1,000,000 over the biennium.

Item #2 creates a line item for, and restores the funding for payments to the National Council of State Legislatures totaling \$238,604 over the biennium.

Item #3 creates a line item and provides funding for new worker training at the Department of Commerce in the amount of \$1,000,000 over the biennium.

Item #4 of this amendment eliminates the line item and funding to the Department of Commerce for Coal Board grants. Item #6 eliminates the associated restrictive language for the appropriation referenced by item #4.

Item #5 increases the funding for Historic Preservation Competitive Grants by \$1,000,000 over the biennium.

Items #7 and #8 increase general fund support by \$200,000 each year of the biennium to the Public Health and Safety Division in DPHHS to implement a pilot project for grants of \$25,000 to 8 local health agencies as required by HB 173. The grants are to assist local public health agencies with preparing for national accreditation by using nationally recognized public health standards and guidelines based on 10 essential public health services outlined by various national associations and federal

agencies including the CDC.

Item #9 increases the appropriation for the Self-Help Law program by \$250,000 over the biennium.

Amendments to House Bill No. 645
Reference Copy

Requested by Representative Cynthia Hiner

For the House Free Conference Committee

Prepared by Greg Petesch
April 25, 2009 (9:01am)

1. Title, line 19.

Following: "PROGRAM;"

Insert: "PROVIDING A FUND TRANSFER FROM THE STATE GENERAL FUND TO
THE SENIOR CITIZEN AND PERSONS WITH DISABILITIES
TRANSPORTATION SERVICES ACCOUNT;"

2. Page 66, line 16.

Insert: "NEW SECTION. Section 61. Fund transfer. There is
transferred \$300,000 from the state general fund to the senior
citizen and persons with disabilities transportation services
account."

3. Page 14, line 18.

Strike: "81"

Insert: "82"

4. Page 15, line 15.

Strike: "81"

Insert: "82"

5. Page 24, line 14.

Strike: "81"

Insert: "82"

6. Page 24, line 17.

Strike: "81"

Insert: "82"

7. Page 63, line 8.

Strike: "81"

Insert: "82"

8. Page 65, line 2.

Strike: "81"

Insert: "82"

9. Page 65, line 5.

Strike: "81"

Insert: "82"

10. Page 71, line 2.

Strike: "81"

Insert: "82"

11. Page 72, line 1.

Strike: "81"

Insert: "82"

12. Page 72, line 17.

Strike: "81"

Insert: "82"

13. Page 73, line 5.

Strike: "81"

Insert: "82"

14. Page 73, line 12.

Strike: "81"

Insert: "82"

15. Page 73, line 19.

Strike: "81"

Insert: "82"

16. Page 75, line 5.

Strike: "81"

Insert: "82"

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the House Free Conference Committee

Prepared by Lois Steinbeck
April 25, 2009 (11:17am)

1. Page B-6, line 16.

Following: "RESTRICTED"

Insert: "/Biennial"

2. Page B-7.

Strike: line 2

Insert: "25,000" [general fund FY 10 and FY11]

"b. Implement House Bill 130 (Biennial/Restricted)

475,000" [general fund FY 10 and FY11]

3. Page B-⁹8, following line 15.

Insert: "Implement HB 130 is contingent upon passage and approval of House Bill No. 130. If House Bill No. 130 is not passed and approved, Implement HB 130 must be used for matching grants for mental health crisis centers."

- END -

Explanation - This amendment reduces the appropriation to implement the mental health crisis diversion pilot program from \$500,000 general fund over the biennium to \$25,000. The remaining \$475,000 is appropriated to implement HB 130 (grant program for local crisis services and jail diversion for mentally ill persons). If HB 130 fails, the \$475,000 must be used as grants for mental health crisis centers.

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

FREE CONFERENCE COMMITTEE ON HOUSE BILL 645

Call to Order: Chairman John Esp, on April 27, 2009 at 11:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Rep. Jon C. Sesso, Chairman (D)
Rep. Cynthia Hiner (D)
Sen. Jim Keane (D)
Rep. Walter McNutt (R)
Rep. Penny Morgan (R)
Sen. Jim Peterson (R)

Members Excused: None

Members Absent: None

Staff Present: Prudence Gildroy, Secretary
Taryn Purdy, Legislative Fiscal Division

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 645

EXECUTIVE ACTION ON HB 645

00:00:00 Reconvene HB 645 11:00 a.m.

00:00:01 Chairman Esp

00:00:59 Motion Sen. Peterson moved **TO AMEND HB 645.**

EXHIBIT(frs90hb0645a01)

00:01:26 Chairman Esp

00:01:53 Jim Standaert, LFD

EXHIBIT(frs90hb0645a02)

Discussion:

00:08:39 Chairman Esp

00:09:07 Madalyn Quinlan, Office of Public Instruction (OPI)

00:09:47 Chairman Esp

00:10:08 Amy Carlson, Office of Budget and Program Planning
(OBPP)

00:11:05 **Vote:** Motion carried unanimously by voice vote.

00:11:15 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**

EXHIBIT(frs90hb0645a03)

Discussion:

00:11:52 Mr. Standaert

00:12:13 Chairman Esp

00:12:42 Ms. Quinlan, OPI

00:12:55 Chairman Esp

00:13:00 Ms. Carlson, OBPP

00:13:15 Chairman Esp

00:13:23 **Vote:** Motion carried unanimously by voice vote.

00:13:53 Chairman Esp

00:13:58 **Motion:** Sen. Peterson moved **TO AMEND HB 645.**

EXHIBIT(frs90hb0645a04)

00:14:35 Chairman Esp

00:14:39 **Vote:** Motion carried unanimously by voice vote.

00:14:55 Chairman Esp

00:15:03 **Motion**: Sen. Peterson moved **TO AMEND HB 645.**
EXHIBIT(frs90hb0645a05)

00:15:05 Chairman Esp

00:15:45 **Vote**: Motion carried unanimously by voice vote.

00:16:09 **Motion/Vote**: Rep. Hiner **TO AMEND HB 645.** Motion carried
unanimously by voice vote.
EXHIBIT(frs90hb0645a06)

00:17:06 Chairman Esp

00:17:24 Rep. Hiner moved **TO AMEND HB 645.**
EXHIBIT(frs90hb0645a07)

00:18:35 Chairman Esp

00:18:40 Matt Steiner, LFD

00:19:54 Rep. Sesso

00:20:29 **Vote**: Motion carried unanimously by voice vote

00:20:41 Chairman Esp

00:21:01 Rep. Sesso

00:21:49 Sen. Esp

00:22:09 **Motion/Vote**: Rep. Sesso moved that the Free Conference
Committee (approve the committee report and) report the
bill as amended out of committee. Motion carried
unanimously by voice vote.

00:23:02 Chairman Esp

ADJOURNMENT

Adjournment: 11:34 A.M.

Prudence Gildroy, Secretary

Additional Documents:

EXHIBIT(frs90hb0645aad.pdf)

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the Senate Free Conference Committee

Prepared by Jim Standaert
April 26, 2009 (7:56pm)

1. Page 70, line 18.
Strike: "12,763,569"
Insert: "14,613,477"
Strike: "13,216,482"
Insert: "25,779,699"

2. Page 70, line 20.
Strike: "31,605,482"
Insert: "29,762,223"
Strike: "31,605,482"
Insert: "29,762,224"

3. Page E-3, line 7.
Strike: "12,763,509 13,216,482" [federal special revenue FY10
FY11]
Insert: "14,613,477 25,779,699" [federal special revenue FY10
FY11]

4. Page E-3, line 9.
Strike: "10,724,262 21,713,034" [federal special revenue FY10
FY11]
Insert: "10,717,552 10,993,075" [federal special revenue FY10
FY11]

5. Page E-7, line 4.
Strike: "31,605,482 31,605,482" [federal special revenue FY10
FY11]
Insert: "29,762,223 29,762,224" [federal special revenue FY10
FY11]

- END -

Explanation - This amendment 1) adjusts federal school
stabilization appropriations for K-12 BASE Aid and 2) reduces
federal stabilization appropriations for higher education.

Amendment 1 increases the amount of federal stabilization aid

offsetting general fund BASE Aid to K-12 in HB 2. General fund BASE Aid in HB 2 has been changed to reflect the cost of a 1 percent increase in the basic and per-ANB entitlements in FY 2010 and another increase in FY 2011 of 3 percent.

Amendment 2 reduces the amount federal stabilization funds for higher education that offsets general fund aid to higher education in HB 2 by \$1,843,258 per year to better match the maintenance of effort requirements for the use of this money. This money is then used in K-12.

Amendment 3, related to amendment 1, appropriates the federal stabilization funds for K-12 BASE aid that offsets general fund BASE Aid in HB 2.

Amendment 4 appropriates federal stabilization funds for K-12 BASE Aid and is equivalent to an additional 2 percent increase in the basic and per-ANB entitlements in each year of the 2011 biennium. This amendment insures that K-12 BASE aid will receive the equivalent of a 3 percent increase in the basic and per-ANB entitlements in each year of the 2011 biennium.

Amendment 5, related to amendment 2, appropriates the federal stabilization funds for higher education that offsets general fund aid for higher education in HB 2.

All adjustments to K-12 BASE Aid reflect 1) the impact on GTB of HB 487 (classify farm and construction equipment as inventory), SB 489 (revise taxation of pipelines) and HB 658 (Reappraisal), and

2) the impact of legislation on guarantee account revenues. These bills are HB 2 (less timber revenues to guarantee account), SB 65 (More I&I revenue to guarantee account), and SB 507 (use of river beds).

Legislative Fiscal Division

04/26/09

Base Aid	Base Aid at 3% and 3%, with Legislation		Base Aid at 1% and 3%, with Legislation		HB2 and HB 645 - Amendments HB000216.ajs & HB064508.ajs			
	FY2010	FY2011	FY2010	FY2011		FY2010	FY2011	Biennial
Direct State Aid	384,683,453	392,702,117	377,047,322	384,895,832	Base Aid - 3%,3%	592,651,254	606,141,423	1,198,792,676
GTB - School General Fund	135,808,966	140,439,021	132,727,546	137,252,230	HB2, 1%,3%,with Legislation	528,670,835	541,158,569	1,069,829,404
GTB - School Retirement	27,746,085	28,622,223	27,746,085	28,622,223	Difference	63,980,419	64,982,853	128,963,272
Indian Ed for All	3,035,406	3,011,718	3,035,406	3,011,718				
Close Achievement Gap	3,220,800	3,209,800	3,220,800	3,209,800	Guarantee Account, with Legislation	53,262,867	53,989,778	107,252,645
Quality Educator	37,970,664	37,970,664	37,970,664	37,970,664				
School District Audits	185,880	185,880	185,880	185,880	HB645, Increase State Support. OTO	10,717,552	10,993,075	21,710,627
Total Base Aid	592,651,254	606,141,423	581,933,702	595,148,347	Total Amount for School Funding	592,651,254	606,141,423	1,198,792,676
GA with Legislation			53,262,867	53,989,778				
HB2 accounting for Legislation			528,670,835	541,158,569				
					HB645, Stabilization Funding for K-12, Ongoing, Offsets General Fund BASE Aid	14,613,477	25,779,699	40,393,176

Legislation:					Total Amount of Federal Stabilization Dollars in K-12	25,331,029	36,772,774	62,103,803
GTB					Total Amount of Federal Stabilization Dollars in Higher Ed	29,762,224	29,762,224	59,524,448
HB487, HB489, HB658	(429,605)	560,617	(429,605)	560,617	Total Amount of Stabilization Funds used in Education	55,093,253	66,534,998	121,628,251
Guarantee Account, general Fund savings								
HB 2, SB65, SB 507	(158,693)	(217,322)	(158,693)	(217,322)				

Exhibit No. 2
Date 4-27-09
JL No. FC 648645

Amendments to House Bill No. 645
Reference Copy

Requested by

For the House Free Conference Committee

Prepared by Greg Petesch
April 25, 2009 (1:49pm)

1. Page 14, line 18.

Strike: "81"

Insert: "82"

2. Page 15, line 15.

Strike: "81"

Insert: "82"

3. Page 24, line 14.

Strike: "81"

Insert: "82"

4. Page 24, line 17.

Strike: "81"

Insert: "82"

5. Page 63, line 8.

Strike: "81"

Insert: "82"

6. Page 65, line 2.

Strike: "81"

Insert: "82"

7. Page 65, line 5.

Strike: "81"

Insert: "82"

8. Page 66, line 16.

Insert: "NEW SECTION. Section 61. Allocation and distribution of increased state support for schools. The superintendent of public instruction shall allocate and distribute the funds appropriated in [section 82] for Increase State Support for Schools With Education Stabilization Funds as follows:

(1) for fiscal year 2010:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2010 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act].

(2) for fiscal year 2011,

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2011 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act]."

Renumber: subsequent sections

9. Page 71, line 2.

Strike: "81"

Insert: "82"

10. Page 72, line 1.

Strike: "81"

Insert: "82"

11. Page 72, line 17.

Strike: "81"

Insert: "82"

12. Page 73, line 5.

Strike: "81"

Insert: "82"

13. Page 73, line 12.

Strike: "81"

Insert: "82"

14. Page 73, line 19.

Strike: "81"

Insert: "82"

15. Page 75, line 3.

Following: "57,"

Insert: "and"

Following: "59"

Strike: ", AND 60"

Insert: "through 61"

16. Page 75, line 5.

Strike: "81"

Insert: "82"

- END -

Amendments to House Bill No. 645
Reference Copy

Requested by Senator John Esp

For the Senate Free Conference Committee

Prepared by Kris Wilkinson
April 27, 2009 (9:32am)

1. Page 65, line 2.

Strike: "\$15"

Insert: "\$14.95"

2. Page A-6, line 11.

Strike: "3,536,800" [General fund FY 10]

Insert: "3,486,800" [General fund FY 10]

3. Page E-1.

Following: line 14

Insert: "e. Montana Learning Center (Restricted)
50,000 [general fund FY10]"

4. Page E-4.

Following: line 8

Insert: "Montana Learning Center funding may only be used for
deferred maintenance on facilities or for making energy
efficiency improvements at the Montana Learning Center"

- END -

Explanation - This amendment adds \$50,000 in general fund to the
Statewide Level Activities Program of the Office of Public
Instruction to provide support for improvements to the Montana
Learning Center facilities or for energy efficiency improvements
at the center.

Amendments to House Bill No. 645
Reference Copy

For the House Free Conference Committee

Prepared by Catherine Duncan
April 26, 2009 (5:23pm)

1. Page 72, line 6.
Strike: line 6 in its entirety
Renumber: subsequent subsections
2. Page 72, line 15.
Following: "amount of"
Strike: "a fund transfer or"
3. Page 72, line 16.
Following: "corresponding"
Strike: "transfer or"
4. Page 72, line 17.
Following: "amount"
Strike: "transferred or"
5. Page F-4, line 2 through line 4.
Strike: line 2 through line 4 in their entirety

- END -

Explanation - These amendments eliminate the coordination instruction related to and the transfers to the Long-Range Information Technology Projects fund which replace the HB 10 general fund transfers. Consequently, two HB 10 LRITP projects, the DPHHS Medicaid Management Information System project and DOR Efficiency in Imaging project, will be funded through a transfer in HB 10 (funded with a total HB 10 transfer of \$6.9 million, an increase of current LRITP funding of \$3.4 million) and the projects will not rely on the transfer from HB 645 (reducing the general fund cost of HB 645 by \$3.5 million).

Amendments to House Bill No. 645
Reference Copy

Requested by Representative Cynthia Hiner

For the House Free Conference Committee

Prepared by Barbara Smith
April 26, 2009 (5:22pm)

1. Page B-4, line 13.

Strike: "375,000 375,000" [general fund FY10 and FY11]

Insert: "357,000 357,000" [general fund FY10 and FY11]

2. Page E-4, line 12.

Strike: "16,507" [general fund FY10]

Insert: "34,507 18,000" [general fund FY10 and FY11]

- END -

Explanation - This amendment provides \$36,000 to the Montana School of the Deaf and Blind for equipment for students with special needs. The funding is from the Health information Technology Appropriation in DPHHS. The grant award indicates that DPHHS needs only \$714,000 for match, \$750,000 is currently in the bill.

Amendments to House Bill No. 645
Reference Copy

Requested by Representative Dan Villa

For the Senate Free Conference Committee

Prepared by Matthew Stayner
April 27, 2009 (10:30am)

1. Page A-8.

Following: line 14

Insert: "The line item for New Worker Training is to provide training funds for businesses to train and educate both new and existing employees, the purpose of which is the retention and creation of high-wage and high-skilled jobs that will increase the earning potential and employment opportunities for Montana employees and enhance the state's economy. The line item for New Worker Training is intended to be implemented using a framework similar to that established under the Primary Sector Business Workforce Training Act provided for in title 39, chapter 11, except that the New Worker Training appropriation line item is to be used to train and educate both new and existing employees."

- END -



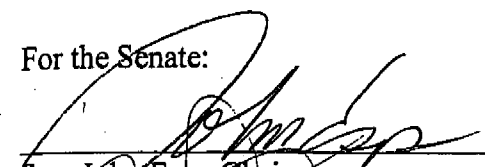
FREE CONFERENCE COMMITTEE
on House Bill 645
Report No. 001, April 27, 2009

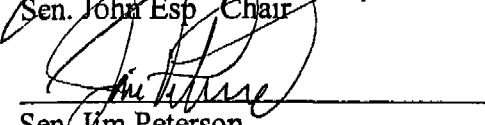
Page 1 of 21

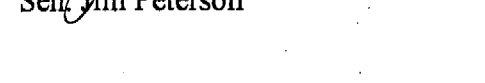
Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 645** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

For the Senate:

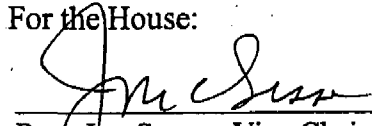

Sen. John Esp Chair

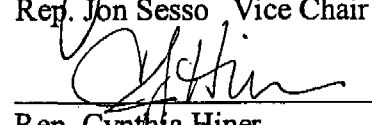

Sen. Jim Peterson

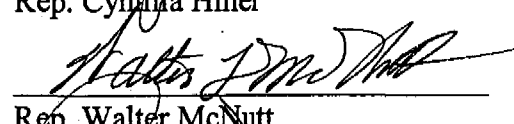

Sen. Trudi Schmidt

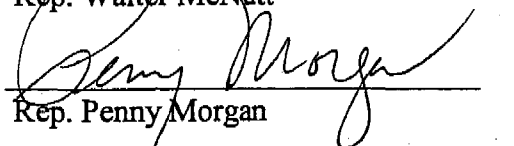
Amendment Coordinator

For the House:


Rep. Jon Sesso Vice Chair


Rep. Cynthia Hiner


Rep. Walter McNutt


Rep. Penny Morgan

And, recommend that **House Bill 645** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 12.

Following: "ACCOUNT;"

Insert: "INCREASING THE ELIGIBILITY FOR CASH ASSISTANCE BENEFITS
FROM THE TANF BLOCK GRANT;"

2. Title, page 1, line 19.

Following: "PROGRAM;"

ADOPT
REJECT

Amendment # HB 645-001

HB0645001FC.sdr

1229

Insert: "PROVIDING A FUND TRANSFER FROM THE STATE GENERAL FUND TO
THE SENIOR CITIZEN AND PERSONS WITH DISABILITIES
TRANSPORTATION SERVICES ACCOUNT;"

3. Title, page 1, line 21.

Following: "~~53-4-1115,~~"

Insert: "53-4-212,"

4. Page 3, line 20.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

5. Page 3, line 21.

Strike: "45"

Insert: "46"

6. Page 4, line 13.

Strike: "43"

Insert: "44"

7. Page 4, line 14.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

8. Page 4, line 19.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

9. Page 4, line 20.

Strike: "45"

Insert: "46"

10. Page 5, line 11.

Strike: "43"

Insert: "44"

11. Page 5, line 12.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

12. Page 6, line 16.

Strike: "43"

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Insert: "44"

13. Page 6, line 17.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

14. Page 7, line 11.

Strike: "43"

Insert: "44"

15. Page 7, line 12.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

16. Page 8, line 8.

Strike: "43"

Insert: "44"

17. Page 8, line 9.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

18. Page 8, line 21.

Strike: "43"

Insert: "44"

19. Page 9, line 1.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

20. Page 11, line 9.

Strike: "43"

Insert: "44"

21. Page 12, line 4.

Strike: "43"

Insert: "44"

22. Page 13, line 1.

Strike: "43"

Insert: "44"

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23. Page 13, line 18.

Strike: "43"

Insert: "44"

24. Page 14, line 18.

Strike: "81"

Insert: "85"

25. Page 15, line 15.

Strike: "81"

Insert: "85"

26. Page 20, line 2.

Strike: "52"

Insert: "53"

27. Page 21, line 6.

Strike: "42(1)"

Insert: "43(1)"

28. Page 21, line 7.

Strike: "43"

Insert: "44"

29. Page 21, line 12.

Strike: "42(1)"

Insert: "43(1)"

Strike: "43"

Insert: "44"

30. Page 24, line 14.

Strike: "81"

Insert: "85"

31. Page 24, line 17.

Strike: "81"

Insert: "85"

32. Page 27, line 16.

Strike: "43"

Insert: "44"

33. Page 34.

Following: line 10

Insert: "Section 32. Section 53-4-212, MCA, is amended to read:

"53-4-212. Department to make rules. (1) The department shall make rules and take action as necessary or desirable for the administration of public assistance programs.

(2) The Subject to subsection (3), the department shall adopt rules that may include but are not limited to rules

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concerning:

(a) eligibility requirements, including gross and net income limitations, resource limitations, and income and resource exclusions;

(b) amounts of assistance, methods for computing benefit amounts, and the length of time for which benefits may be granted;

(c) the degree of kinship required for a person to qualify as a specified caretaker relative in order to be eligible for assistance;

(d) procedures and policies for employment and training programs, requirements for participation in employment and training programs, and exemptions, if any, from participation requirements;

(e) requirements for specified caretaker relatives, including cooperation with assessments, the number of hours of participation required for each month, specific activities required to address employment barriers, and other terms of performance;

(f) eligibility for and terms and conditions of child-care assistance for financial assistance recipients, including maximum amounts of assistance payable and amounts of copayments required by specified caretaker relatives;

(g) eligibility criteria and participation requirements for nonfinancial assistance recipients;

(h) terms of ineligibility or sanctions against a specified caretaker relative or other family member who fails to enter into a family investment agreement, as provided for in 53-4-606, or to comply with the individual's obligations under the agreement, including the length of the period of ineligibility, if any;

(i) requirements, if any, for participation in the employment and training demonstration project;

(j) eligibility for and terms and conditions of extended medical assistance benefits;

(k) reporting requirements;

(l) sanctions, disqualification, or other penalties for failure or refusal to comply with the rules or requirements of a public assistance program;

(m) exemptions from the 60-month limitation on assistance provided in 53-4-231 based on hardship or for families that include an individual who has been battered or subjected to extreme cruelty, as defined in section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 608, including but not limited to the duration of the exemption;

(n) individuals who must be included as members of an assistance unit;

(o) categories of aliens who may receive assistance, if any;

(p) requirements relating to the assignment of child and medical support rights and cooperation in establishing paternity and obtaining child and medical support;

(2 3 3

(q) requirements for eligibility and other terms and conditions of other programs to strengthen and preserve families;

(r) special eligibility or participation requirements applicable to teenage parents, if any;

(s) conditions under which assistance may be continued when an adult or a dependent child is temporarily absent from the home and the length of time for which assistance may be continued;

(t) any random drug testing or reporting requirements for persons who are required to comply with the conditions provided under 53-4-231(3) and graduated sanctions that may include terms of ineligibility for violations of conditions of supervision or treatment requirements. The department may enter into agreements with the department of corrections regarding testing and reporting on offenders under the supervision of the department of corrections.

(u) approved educational programs, appropriate educational courses of study, employee assessment instruments, and administration of the Montana parents as scholars program provided for in 53-4-209.

(3) The department shall raise the eligibility standard for individuals receiving cash assistance benefits from the federal TANF block grant from at or below 30% of the 2002 federal poverty level to at or below 30% of the 2009 federal poverty level for the period from July 1, 2009, through September 30, 2010. Beginning October 1, 2010, the department shall reduce the eligibility standard to 30% of the 2006 federal poverty level. If the TANF caseload increases to a point that expenditures jeopardize the TANF block grant, the department, after consultation with the legislative finance committee, may lower the eligibility standard as provided in subsection (2)."

Renumber: subsequent sections

34. Page 44, line 18.

Strike: "42"

Insert: "43"

35. Page 45, line 1.

Strike: "43"

Insert: "44"

36. Page 45, line 19.

Strike: "43"

Insert: "44"

37. Page 48, line 19.

Strike: "43"

Insert: "44"

38. Page 48, line 20.

Strike: "44"

Insert: "45"

1234

Strike: "45"
Insert: "46"

39. Page 63, line 8.

Strike: "81"
Insert: "85"

40. Page 63, lines 17 through 19.

Following: "MUST RECEIVE \$5,000 PLUS" on line 17

Strike: remainder of line 17 through line 19 in their entirety

Insert: "a proportional share of the funds remaining from the \$10 million. The proportional share is calculated by allocating 50% of the remaining funds to each city and town based upon the distribution formula in 15-70-101(2)(c) and 50% of the remaining funds to each city and town based upon the percentage that the population of each city or town bears to the total population of all cities and towns."

41. Page 63, line 20.

Following: "USED FOR"

Insert: ": (a) the following county projects: Beaverhead, county courthouse repair; Big Horn, Little Horn road reconstruction; Blaine, county building improvements; Broadwater, county road chip seal; Carbon, West Fork road expansion; Carter, gravel crushing; Cascade, county building energy performance contract; Chouteau, county road repair and reconstruction; Custer, county road and buildings, including Silo Loop road, Pine Hills improvement, and county building repair and remodel; Daniels, county road gravel screening/crushing; Dawson, county building repair/remodel/construction; Deer Lodge, street light renovation; Fallon, county road and parks shop building; Fergus, Scott Crossing bridge replacement; Flathead, Mennonite Church and Creston roads construction; Gallatin, fairgrounds restroom construction and replacement; Garfield, county building heating/cooling system replacement; Glacier, Glacier County jail/detention center; Golden Valley, fire hall and roads; Granite, Metesch Lane bridge replacement; Hill, Sheppard and Bulhook roads pavement overlay; Jefferson, Boulder south campus sewer replacement; Judith Basin, replace Arrow Creek and Judith River bridge; Lake, South Valley Creek bridge replacement, Skyline bridge repair, and courthouse weatherization; Lewis and Clark, Lewis and Clark County fairgrounds plaza; Liberty, Liberty senior center; Lincoln, Tobacco Valley industrial park infrastructure improvements and Kootenai business park improvements; Madison, Madison County office renovation and bridge improvement projects; McCone, geothermal heat loop courthouse retrofit; Meagher, county building energy efficiency and handicap accessibility updates; Mineral, Mineral County jail and courthouse restoration and repair;

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Missoula, Big Flat road reconstruction; Musselshell, Goffena bridge replacement; Park, 9th Street bridge replacement; Petroleum, courthouse windows, Dovetail Creek crossing, and Petroleum County road upgrade; Phillips, courthouse parking lot and sidewalk projects; Pondera, Pondera County community and senior center remodel; Powder River, Powder River County fire hall; Powell, energy efficient windows and boiler for county courthouse; Prairie, county fairgrounds grandstand replacement and Terry park facilities renovation; Ravalli, Ambrose Creek road pavement preservation; Richland, Spring Lake road reconstruction; Roosevelt, energy efficient courthouse windows project; Rosebud, Ingomar water and sewer project and Forsyth library elevator project; Sanders, high bridge reconstruction; Sheridan, county road gravel and engineering, county road gravel crushing, Plentywood bypass route; Silver Bow, county road repair and maintenance; Stillwater, county courthouse and bridge; Sweet Grass, Pioneer medical center renovation; Teton, county nursing home and county road gravel; Toole, energy efficient lighting for Toole County hospital; Treasure, county building renovations; Valley, Valley County detention center addition; Wheatland, county road shop and Harlowtown fire hall; Wibaux, county fairgrounds exhibit building; Yellowstone, Clapper Flat and Vandaveer roads and courthouse remodel; and

(b) the following city and town projects: Alberton, street repairs and paving; Anaconda-Deer Lodge, street light renovation; Bainville, Simard Park improvements -- sprinkler systems and sidewalks; Baker, storm drain installation on South Montana 7 and Secondary 322; Bearcreek, town hall renovation and repairs; Belgrade, street intersection reconstruction and sidewalk extension; Belt, replace concrete water storage tank; Big Sandy, sewer main replacement and resurface Johannes Avenue; Big Timber, Anderson Street asphalt overlay project; Billings, reconstruction of Alkali Creek Road; Boulder, water system treatment project; Bozeman, water system treatment project, water reclamation facility -- water treatment plant design, recreation facility improvements, sidewalks and restroom upgrades in parks, and debris removal; Bridger, street and sidewalk repairs; Broadus, addition to city hall for police department and sewer lagoon repairs; Broadview, general repairs and maintenance; Brockton, wastewater system repairs and street and alley repairs; Browning, new fire hall; Butte-Silver Bow, road repairs and maintenance; Cascade, one block sewer main replacement; Chester, chip seal town streets; Chinook, city hall repair and improvements and paint armory building; Choteau, city hall-fire station remodel and replace unit heaters in Pavilion building; Circle, purchase street patcher equipment and sewer treatment plant; Clyde Park, construction of Lathrop Street; Colstrip, Orchard lift station replacement; Columbia Falls, street construction and improvements; Columbus, replace curb, gutter, and sidewalk on Pike Avenue; Conrad, replace hydrants and valves

and overlay Dakota Street; Culbertson, architecture design of new fire hall; Cut Bank, final engineering and design work for Railroad Street; Darby, water system improvement project; Deer Lodge, phase 1 sewer rehabilitation collection system; Denton, water-sewer upgrades, building repairs, and street repairs; Dillon, Glendale street project; Dodson, street repairs; Drummond, street repairs and park maintenance; Dutton, city park improvements; East Helena, renovate city hall; Ekalaka, bridge and street repair; Ennis, town hall expansion and remodel project; Eureka, repair main arterial road; Fairfield, design and erect new fire hall, televise sewer lines, and replace hydrants; Fairview, park bathrooms renovation; Flaxville, water storage tank repairs; Forsyth, water storage tank and water works repairs; Fort Benton, chip seal city streets, U.S. highway 87 repairs, and airport runway improvements; Fort Peck, replace aging fire hydrants; Froid, water storage reservoir replacement; Fromberg, street and sidewalk repairs; Geraldine, main sewer line extension; Glasgow, rehabilitate southside lift station; Glendive, street reconstruction; Grass Range, water, sewer, and street repairs; Great Falls, West Bank street and right-of-way improvement and civic center roof repair; Hamilton, Tenth street reconstruction; Hardin, new fire hall; Harlem, city hall renovation and weatherization and street maintenance; Harlowton, replace sidewalks and install handicapped curbs; Havre, new lift station and recoat concrete water tank; Helena, Centennial Park trail system construction; Hingham, sewer project, street and sidewalk repairs, and fire hydrants; Hobson, extend water to boulevard on Main Street; Hot Springs, remodel fire hall and repair streets; Hysham, overlay town streets; Ismay, general repairs and maintenance; Joliet, sewer and water improvements; Jordan, improve existing streets; Judith Gap, Fourth Avenue street improvements; Kalispell, street projects; Kevin, drainage, culvert, and road repairs; Laurel, open ditch mitigation near middle school; Lavina, install new water system; Lewistown, chip seal streets; Libby, sewer main extension to Cabinet Heights; Lima, regravels streets and park shelter; Livingston, safety and building repairs to Sacajawea Park and repairs to sidewalks and streets; Lodge Grass, sewer lagoon; Malta, water and sewer line repairs and maintenance and street paving and repairs; Manhattan, sidewalk extensions, repairs, and maintenance; Medicine Lake, sewer lagoon maintenance, water tower, and waterworks repairs; Melstone, install fire hydrants, water and sewer installation to community center, and sidewalks, curbs, and gutters; Miles City, stormwater system sediment removal and debris removal; Missoula, ADA sidewalk ramps and North Higgins streetscape; Moore, street repairs and capital improvements; Nashua, sewer and water main replacements; Neihart, streets and capital improvements; Opheim, water system and general repairs; Outlook, connect water system to new well; Philipsburg, replace water and sewer lines; Pinesdale, capital improvements and repairs; Plains, city hall renovations including ADA bathrooms and furnace and air conditioning; Plentywood, engineering study of wastewater

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treatment system, replace sidewalk at city hall and add gutter system, and chip seal streets; Plevna, culvert and drainage improvements and chip seal streets; Polson, Riverside water main replacement; Poplar, street repairs after water line installation; Red Lodge, roof repairs on city hall and police station; Rexford, community center siding and repairs; Richey, road repairs and maintenance; Ronan, repair and overlay Third Avenue Northwest; Roundup, curbs, gutters, and sidewalks on Second Avenue East; Ryegate, city park improvements; Saco, street repairs and maintenance; Saint Ignatius, street paving and pedestrian path and other park repairs; Scobey, weatherize city hall; Shelby, street repairs; Sheridan, street repairs and maintenance; Sidney, Twenty-Second Avenue Northwest reconstruction; Stanford, street intersection improvements and replacements; Stevensville, repair and replace roof on town hall complex building; Sunburst, resurface streets, ADA curbs and gutters, and other street repair; Superior, water construction phase II, street repairs, and renovate park buildings; Terry, park improvements; Thompson Falls, street repairs and replace water meters with radio read meters; Three Forks, pave streets and equip parks and recreation facilities; Townsend, Broadway sidewalk replacement; Troy, city hall restoration; Twin Bridges, public walking path connecting parks; Valier, install water tank, new water meters, and water lines and trunks; Virginia City, remodel and relocate city hall; Walkerville, street improvements; West Yellowstone, wastewater improvements; Westby, resurface streets; White Sulphur Springs, patch and repair city streets; Whitefish, new emergency services building; Whitehall, new ambulance building, wastewater improvements, and debris removal; Wibaux, remodel park bathroom as handicapped accessible; Winifred, drainage projects; Winnett, street drainage improvements; Wolf Point, gate valve and hydrant replacement; or
(c) "

42. Page 64, line 1.

Strike: "(A)"

Insert: "(i)"

Renumber: subsequent subsections

43. Page 64.

Following: line 8

Insert: "(3) The governing body of a county, city, or town may choose to propose to the department of commerce an alternate project to those listed in subsections (2)(a) and (2)(b) based on the criteria in subsection (2)(c). If the alternate project meets the criteria in subsection (2)(c), the department shall approve the project."

Renumber: subsequent subsection

44. Page 64.

Following: line 11

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Insert: "(5) A recipient of funds under this section must expend the funds by September 30, 2010. Unexpended funds must revert to the state and be deposited in the state general fund. The department of commerce shall disburse the funds to recipients as quickly as possible."

45. Page 65, lines 2 and 3.

Following: "(5)" on line 2

Strike: remainder of line 2 through "PROGRAM." on line 3

Following: "START"

Insert: "energy program"

46. Page 65, line 5.

Strike: "81"

Insert: "85"

47. Page 66, line 8.

Strike: "MORTGAGE LOAN ASSISTANCE"

Insert: "Welcome home loan"

48. Page 66, line 14.

Strike: "59"

Insert: "60"

49. Page 66, line 16.

Insert: "NEW SECTION. Section 62. Fund transfer. There is transferred \$300,000 from the state general fund to the senior citizen and persons with disabilities transportation services account."

"NEW SECTION. Section 63. Allocation and distribution of increased state support for schools. The superintendent of public instruction shall allocate and distribute the funds appropriated in [section 85] for Increase State Support for Schools With Education Stabilization Funds as follows:

(1) for fiscal year 2010:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2010 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act]; and

(2) for fiscal year 2011:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2011 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school

district using the recalculated basic and per-ANB entitlements;
and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act].

Renumber: subsequent sections

50. Page 70, lines 5 and 6.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

51. Page 70, line 8.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

52. Page 70, line 9.

Strike: "tribal"

Insert: "Indian country"

53. Page 70.

Following: line 9

Insert: "(ii) high-performance computing in the amount of \$2,000,000, then the general fund appropriation for that purpose in House Bill No. 2 is void;"

Renumber: subsequent subsections

54. Page 70, line 11.

Following: "(iv) the"

Insert: "Montana"

55. Page 70, line 17.

Strike: "THAT PURPOSE"

Insert: "BASE aid"

56. Page 70, line 18.

Strike: "\$12,763,569"

Insert: "\$14,613,477"

Strike: "\$13,216,482"

Insert: "\$25,779,699"

Following: "2011;"

Strike: "AND"

57. Page 70, line 20.

Strike: "\$31,605,482"

Insert: "\$29,762,223"

Strike: "\$31,605,482"

Insert: "\$29,762,224"

Following: "FY 2011"

Insert: "; and

(d) to the office of the commissioner of higher education

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for Replace 6-Mill Levy Revenue Shortfall With Federal General Stabilization Funds, then the state special revenue fund appropriation in House Bill No. 2 is reduced by \$1,447,296 in fiscal year 2010 and \$1,046,625 in fiscal year 2011"

58. Page 71, line 1.

Strike: "the amount of the difference between the amount specified in subsection (1) and"

59. Page 71, line 2.

Strike: "81"

Insert: "85"

60. Page 71, line 8.

Following: "TOTAL"

Strike: "ALLOCATIONS"

Insert: "appropriations"

61. Page 71, line 10.

Strike: "\$20"

Insert: "\$17"

62. Page 71, line 21 through page 72, line 1.

Strike: "the amount" on page 71, line 21 through "and" on page 72, line 1

Strike: "81"

Insert: "85"

63. Page 72, lines 2 and 3.

Strike: subsection (4) in its entirety

64. Page 72, line 6.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

65. Page 72, line 9.

Strike: "\$2.5"

Insert: "\$3.5"

66. Page 72, line 15.

Following: "amount of"

Strike: "a fund transfer or"

67. Page 72, lines 16 and 17.

Following: "corresponding" on line 16

Strike: "transfer or"

Strike: "of the difference" on page 72, line 16 through "transferred or" on page 72, line 17

Strike: "81"

Insert: "85"

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68. Page 73, line 5.

Strike: "81"

Insert: "85"

69. Page 73, line 12.

Strike: "81"

Insert: "85"

70. Page 73, line 19.

Strike: "81"

Insert: "85"

71. Page 74, line 2.

Strike: "33"

Insert: "34"

72. Page 74, line 3.

Strike: "33"

Insert: "34"

73. Page 74, line 4.

Strike: "52" in both places

Insert: "53" in both places

74. Page 74, line 5.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

75. Page 74, line 6.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

76. Page 74, line 7.

Strike: "42"

Insert: "43"

Strike: "43"

Insert: "44"

77. Page 74, line 8.

Strike: "42"

Insert: "43"

Strike: "43"

Insert: "44"

78. Page 74, line 9.

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Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

79. Page 74, line 10.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

80. Page 74, line 11.

Strike: "50" in both places
Insert: "51" in both places
Strike: "51" in both places
Insert: "52" in both places

81. Page 74, line 20.

Strike: "35"
Insert: "36"
Strike: "37"
Insert: "38"

82. Page 75, lines 2 and 3.

Following: "31" on line 2
Strike: remainder of line 2 through "60" on line 3
Insert: "through 33, 35 through 42, 57, 58, 60, and 61"

83. Page 75, line 5.

Strike: "81"
Insert: "85"

84. Page 75, line 4.

Insert: "NEW SECTION. Section 83. Voided appropriation -- use
-- appropriation. If a general fund appropriation contained in
[section 85] is voided or vetoed, then the amount of the voided
or vetoed general fund appropriation is appropriated to the
department of commerce. The department shall use 25% of the
appropriation for distribution to counties pursuant to [section
57(1)(a)], 25% of the appropriation for distribution to cities
and towns pursuant to [section 57(1)(b)], 25% of the
appropriation for distribution to tribal governments pursuant to
[section 57(1)], and 25% for distribution to school districts
pursuant to [section 57(4)]."
Renumber: subsequent sections

85. Page 75, line 9.

Following: "2011."

Insert: "The office of budget and program planning is authorized
to transfer up to \$2 million of the appropriations,

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authority, or both in this section between the general fund and the federal special revenue fund for the purpose of making adjustments to maintain necessary maintenance of effort and other requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for the use of both the state general fund and the federal state fiscal stabilization funds."

86. Page A-1.

Following: line 1

Insert: "LEGISLATIVE BRANCH (1104)

1. Legislative Committees and Activities (21)

117,084 121,520" [General fund FY 10 and FY 11]

"Total 117,084 121,520" [General fund FY 10 and FY 11]

If Senate Bill No. 100 is not passed and approved, the general fund appropriation in the amount of \$117,084 in fiscal year 2010 and in the amount of \$121,520 in fiscal year 2011 for Legislative Committees and Activities is void."

87. Page A-1, line 13 through page A-2, line 8.

Strike: Page A-1, line 13 through page A-2, line 8 in their entirety

88. Page A-2, line 11.

Following: "a."

Insert: "Montana"

89. Page A-2, line 16.

Strike: "Tribal"

Insert: "Indian Country"

90. Page A-3.

Following: line 15

Insert: "h. High-Performance Computing

1,000,000 1,000,000" [general fund FY 10 and FY 11]

"i. New Worker Training Program 655,698 655,698"
[general fund in FY 2010 and FY 2011]

91. Page A-5, line 4.

Strike: "23,000,000 22,000,000" [General fund & State special revenue FY 10]

Insert: "25,000,000 20,000,000" [General fund & State special revenue FY 10]

92. Page A-5, lines 5 through 7.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

93. Page A-5, line 12.

Strike: "1,500,000 1,500,000" [general fund FY 10 and FY 11]

Insert: "2,000,000 2,000,000" [general fund FY 10 and FY 11]

94. Page A-6, line 11.

Strike: "3,536,800 11,497,200" [state special revenue FY 10 and FY 11]

Insert: "34,000" [state special revenue FY 11]

95. Page A-8.

Following: line 3

Insert: "c. Quick Start Energy Grants 14,950,000" [state special revenue FY 10]

96. Page A-9.

Strike: lines 2 and 3 in their entirety

Insert: "The line item for New Worker Training is to provide training funds for businesses to train and educate both new and existing employees, the purpose of which is the retention and creation of high-wage and high-skilled jobs that will increase the earning potential and employment opportunities for Montana employees and enhance the state's economy. The line item for New Worker Training is intended to be implemented using a framework similar to that established under the Primary Sector Business Workforce Training Act provided for in Title 39, chapter 11, except that the New Worker Training appropriation line item is to be used to train and educate both new and existing employees.

The line item and general fund appropriation in the amount of \$1,311,396 for New Worker Training is contingent upon passage and approval of Senate Bill No. 100. If Senate Bill No. 100 is not passed and approved, the appropriation for New Worker Training is void.

If Senate Bill No. 100 is not passed and approved, there is an appropriation to the Community Development Division in the amount of \$4.5 million general fund for fiscal year 2010 for the provision of grants by the coal board established in 2-15-1821."

97. Page A-9, line 11.

Strike: "56"

Insert: "57"

Strike: "57"

Insert: "58"

98. Page A-10.

Following: line 9

Insert: "The amount of \$1 million of the general fund appropriation for Historic Preservation Competitive Grants is contingent upon passage and approval of Senate Bill No. 100."

99. Page B-4, line 8.

Strike: "1,000,000 1,000,000" [General fund FY 10 & FY 11]

Insert: "1,000,000 1,000,000" [Federal funds FY 10 & FY 11]

100. Page B-4.

Following: line 10

Insert: "d. HB 173 -- Implementing National Public Health Standards (Restricted)
200,000 200,000" [general fund FY10 FY11]

101. Page B-4, line 13.

Strike: "375,000 375,000" [general fund FY10 and FY11]

Insert: "357,000 357,000" [general fund FY10 and FY11]

102. Page B-6, line 12.

Strike: "1,500,000 1,500,000" [General fund FY 10 and FY 11]

Insert: "58,919 58,918 " [General fund FY 10 and FY 11]

"1,441,081 1,441,082" [Federal funds FY 10 and FY 11]

103. Page B-6, line 16.

Following: "RESTRICTED"

Insert: "/Biennial"

104. Page B-7.

Strike: line 2

Insert: "25,000" [general fund FY 10]

"b. Implement HB 130 (Biennial/Restricted)

475,000" [General fund FY 10]

105. Page B-8.

Following: line 6

Insert: "HB 173 -- Implementing National Public Health Standards may be used only to make grants to local public health agencies. The line item and general fund appropriation in the amount of \$400,000 over the biennium for HB 173 -- Implementing National Public Health Standards is contingent upon passage and approval of Senate Bill No. 100. If Senate Bill No. 100 is not passed and approved, the appropriation for HB 173 -- Implementing National Public Health Standards is void."

106. Page B-9, line 15.

Strike: "AND"

Insert: "or"

107. Page B-9, following line 15.

Insert: "Implement HB 130 is contingent upon passage and approval of House Bill No. 130. If House Bill No. 130 is not passed and approved, Implement HB 130 must be used for matching grants for mental health crisis centers."

108. Page C-5, line 12.

Strike: "2,500,000 2,500,000" [federal special revenue FY10

and FY11]

Insert: "4,250,000 4,250,000" [federal special revenue FY10 and FY11]

109. Page D-1, line 6.

Strike: "125,000 125,000" [general fund FY 10 and FY 11]

Insert: "250,000 250,000" [general fund FY 10 and FY 11]

110. Page D-1.

Following: line 10

Insert: "The amount of \$250,000 of the general fund appropriation for Self-Help Law Program is contingent upon passage and approval of Senate Bill No. 100."

111. Page D-4, line 2.

Strike: "73,225 73,620" [General fund FY 10 & FY 11]

Insert: "73,225 73,620" [Federal funds FY 10 & FY 11]

112. Page D-4, line 5.

Strike: "997,547 1,002,781" [General fund FY 10 & FY 11]

Insert: "997,547 1,002,781" [Federal funds FY 10 & FY 11]

113. Page D-4, line 8.

Strike: "282,040 283,346" [General fund FY 10 & FY 11]

Insert: "282,040 283,346" [Federal funds FY 10 & FY 11]

114. Page E-1.

Following: line 14

Insert: "e. Montana Learning Center (Restricted)
50,000 [general fund FY10]"

115. Page E-3, line 7.

Strike: "12,763,509 13,216,482" [federal special revenue FY10
FY11]

Insert: "14,613,477 25,779,699" [federal special revenue FY10
FY11]

116. Page E-3, line 9.

Strike: "10,724,262 21,713,034" [federal special revenue FY10
FY11]

Insert: "10,717,552 10,993,075" [federal special revenue FY10
FY11]

117. Page E-4.

Following: line 3

Insert: "Montana Learning Center funding may be used only for deferred maintenance on facilities or for making energy efficiency improvements at the Montana learning center."

118. Page E-4, line 12.

Strike: "16,507" [general fund FY10]

Insert: "34,507 18,000" [general fund FY10 and FY11]

119. Page E-7, line 4.

Strike: "31,605,482 31,605,482" [federal special revenue FY10 FY11]

Insert: "29,762,223 29,762,224" [federal special revenue FY10 FY11]

120. Page E-9, line 10.

Following: "ASSISTANCE"

Strike: "WILL"

Insert: "must"

121. Page E-9, line 11.

Following: "FOLLOWS:"

Strike: remainder of line 11

Insert: "\$400,000 to Flathead Valley community college, \$700,000 to Miles community college, and \$700,000 to Dawson community college."

122. Page E-9.

Strike: lines 14 and 15 in their entirety

123. Page F-1, line 4.

Following: "Program"

Insert: "Additional"

Following: "TRANSFER"

Strike: "Allocation"

124. Page F-2, line 4.

Following: "TRANSFER"

Insert: "and"

125. Page F-2, line 9.

Following: "TRANSFER"

Strike: "Allocation"

126. Page F-3, line 8.

Strike: "1,250,000 1,250,000" [general fund FY 10 and FY 11]

Insert: "1,750,000 1,750,000" [general fund FY 10 and FY 11]

127. Page F-3, line 9.

Following: "Montana"

Insert: "(Department of Administration)"

128. Page F-4, lines 2 through 4.

Strike: line 2 through line 4 in their entirety

129. Page F-4, line 13.

Strike: "21,500,000 21,500,000" [General fund FY 10 and FY 11]

Insert: "35,034,000" [General fund FY 10]

130. Page F-6.

Following: line 8

Insert: "The amount of \$1 million of the general fund
appropriation for Enterprise System Services Center
Equipment is contingent upon passage and approval of Senate
Bill No. 100."

- END -



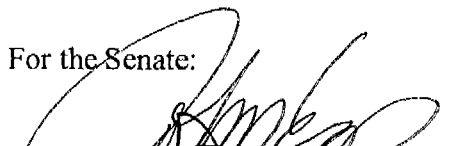
FREE CONFERENCE COMMITTEE
on House Bill 645
Report No. 002, April 27, 2009

Page 1 of 21

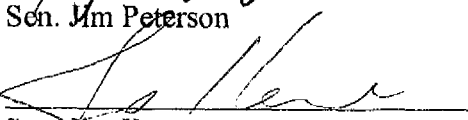
Mr. President and Mr. Speaker:

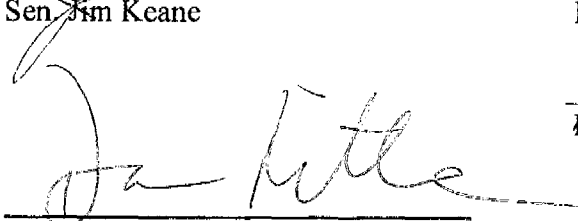
We, your Free Conference Committee met and considered **House Bill 645** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

For the Senate:


Sen. John Espinoza, Chair

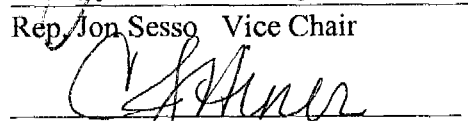

Sen. Jim Peterson

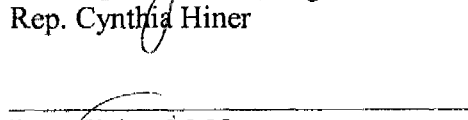

Sen. Jim Keane

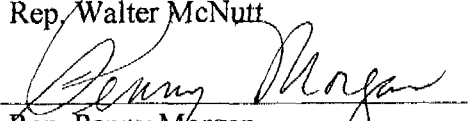

Amendment Coordinator

For the House:


Rep. Jon Sessa, Vice Chair


Rep. Cynthia Hiner


Rep. Walter McNutt


Rep. Penny Morgan

And, recommend that **House Bill 645** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 12.

Following: "ACCOUNT;"

Insert: "INCREASING THE ELIGIBILITY FOR CASH ASSISTANCE BENEFITS
FROM THE TANF BLOCK GRANT;"

2. Title, page 1, line 19.

Following: "PROGRAM;"

ADOPT
REJECT

Amendment # HB 645-002

Insert: "PROVIDING A FUND TRANSFER FROM THE STATE GENERAL FUND TO
THE SENIOR CITIZEN AND PERSONS WITH DISABILITIES
TRANSPORTATION SERVICES ACCOUNT;"

3. Title, page 1, line 21.

Following: "~~53-4-1115,~~"

Insert: "53-4-212,"

4. Page 3, line 20.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

5. Page 3, line 21.

Strike: "45"

Insert: "46"

6. Page 4, line 13.

Strike: "43"

Insert: "44"

7. Page 4, line 14.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

8. Page 4, line 19.

Strike: "43"

Insert: "44"

Strike: "44"

Insert: "45"

9. Page 4, line 20.

Strike: "45"

Insert: "46"

10. Page 5, line 11.

Strike: "43"

Insert: "44"

11. Page 5, line 12.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

12. Page 6, line 16.

Strike: "43"

Insert: "44"

13. Page 6, line 17.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

14. Page 7, line 11.

Strike: "43"

Insert: "44"

15. Page 7, line 12.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

16. Page 8, line 8.

Strike: "43"

Insert: "44"

17. Page 8, line 9.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

18. Page 8, line 21.

Strike: "43"

Insert: "44"

19. Page 9, line 1.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

20. Page 11, line 9.

Strike: "43"

Insert: "44"

21. Page 12, line 4.

Strike: "43"

Insert: "44"

22. Page 13, line 1.

Strike: "43"

Insert: "44"

23. Page 13, line 18.

Strike: "43"

Insert: "44"

24. Page 14, line 18.

Strike: "81"

Insert: "85"

25. Page 15, line 15.

Strike: "81"

Insert: "85"

26. Page 20, line 2.

Strike: "52"

Insert: "53"

27. Page 21, line 6.

Strike: "42(1)"

Insert: "43(1)"

28. Page 21, line 7.

Strike: "43"

Insert: "44"

29. Page 21, line 12.

Strike: "42(1)"

Insert: "43(1)"

Strike: "43"

Insert: "44"

30. Page 24, line 14.

Strike: "81"

Insert: "85"

31. Page 24, line 17.

Strike: "81"

Insert: "85"

32. Page 27, line 16.

Strike: "43"

Insert: "44"

33. Page 34.

Following: line 10

Insert: "Section 32. Section 53-4-212, MCA, is amended to read:

"53-4-212. Department to make rules. (1) The department shall make rules and take action as necessary or desirable for the administration of public assistance programs.

(2) The Subject to subsection (3), the department shall adopt rules that may include but are not limited to rules

concerning:

(a) eligibility requirements, including gross and net income limitations, resource limitations, and income and resource exclusions;

(b) amounts of assistance, methods for computing benefit amounts, and the length of time for which benefits may be granted;

(c) the degree of kinship required for a person to qualify as a specified caretaker relative in order to be eligible for assistance;

(d) procedures and policies for employment and training programs, requirements for participation in employment and training programs, and exemptions, if any, from participation requirements;

(e) requirements for specified caretaker relatives, including cooperation with assessments, the number of hours of participation required for each month, specific activities required to address employment barriers, and other terms of performance;

(f) eligibility for and terms and conditions of child-care assistance for financial assistance recipients, including maximum amounts of assistance payable and amounts of copayments required by specified caretaker relatives;

(g) eligibility criteria and participation requirements for nonfinancial assistance recipients;

(h) terms of ineligibility or sanctions against a specified caretaker relative or other family member who fails to enter into a family investment agreement, as provided for in 53-4-606, or to comply with the individual's obligations under the agreement, including the length of the period of ineligibility, if any;

(i) requirements, if any, for participation in the employment and training demonstration project;

(j) eligibility for and terms and conditions of extended medical assistance benefits;

(k) reporting requirements;

(l) sanctions, disqualification, or other penalties for failure or refusal to comply with the rules or requirements of a public assistance program;

(m) exemptions from the 60-month limitation on assistance provided in 53-4-231 based on hardship or for families that include an individual who has been battered or subjected to extreme cruelty, as defined in section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 608, including but not limited to the duration of the exemption;

(n) individuals who must be included as members of an assistance unit;

(o) categories of aliens who may receive assistance, if any;

(p) requirements relating to the assignment of child and medical support rights and cooperation in establishing paternity and obtaining child and medical support;

(q) requirements for eligibility and other terms and conditions of other programs to strengthen and preserve families;

(r) special eligibility or participation requirements applicable to teenage parents, if any;

(s) conditions under which assistance may be continued when an adult or a dependent child is temporarily absent from the home and the length of time for which assistance may be continued;

(t) any random drug testing or reporting requirements for persons who are required to comply with the conditions provided under 53-4-231(3) and graduated sanctions that may include terms of ineligibility for violations of conditions of supervision or treatment requirements. The department may enter into agreements with the department of corrections regarding testing and reporting on offenders under the supervision of the department of corrections.

(u) approved educational programs, appropriate educational courses of study, employee assessment instruments, and administration of the Montana parents as scholars program provided for in 53-4-209.

(3) The department shall raise the eligibility standard for individuals receiving cash assistance benefits from the federal TANF block grant from at or below 30% of the 2002 federal poverty level to at or below 30% of the 2009 federal poverty level for the period from July 1, 2009, through September 30, 2010. Beginning October 1, 2010, the department shall reduce the eligibility standard to 30% of the 2006 federal poverty level. If the TANF caseload increases to a point that expenditures jeopardize the TANF block grant, the department, after consultation with the legislative finance committee, may lower the eligibility standard as provided in subsection (2)."

Renumber: subsequent sections

34. Page 44, line 18.

Strike: "42"

Insert: "43"

35. Page 45, line 1.

Strike: "43"

Insert: "44"

36. Page 45, line 19.

Strike: "43"

Insert: "44"

37. Page 48, line 19.

Strike: "43"

Insert: "44"

38. Page 48, line 20.

Strike: "44"

Insert: "45"

Strike: "45"

Insert: "46"

39. Page 63, line 8.

Strike: "81"

Insert: "85"

40. Page 63, lines 17 through 19.

Following: "MUST RECEIVE \$5,000 PLUS" on line 17

Strike: remainder of line 17 through line 19 in their entirety

Insert: "a proportional share of the funds remaining from the \$10 million. The proportional share is calculated by allocating 50% of the remaining funds to each city and town based upon the distribution formula in 15-70-101(2)(c) and 50% of the remaining funds to each city and town based upon the percentage that the population of each city or town bears to the total population of all cities and towns."

41. Page 63, line 20.

Following: "USED FOR"

Insert: ": (a) the following county projects: Beaverhead, county courthouse repair; Big Horn, Little Horn road reconstruction; Blaine, county building improvements; Broadwater, county road chip seal; Carbon, West Fork road expansion; Carter, gravel crushing; Cascade, county building energy performance contract; Chouteau, county road repair and reconstruction; Custer, county road and buildings, including Silo Loop road, Pine Hills improvement, and county building repair and remodel; Daniels, county road gravel screening/crushing; Dawson, county building repair/remodel/construction; Deer Lodge, street light renovation; Fallon, county road and parks shop building; Fergus, Scott Crossing bridge replacement; Flathead, Mennonite Church and Creston roads construction; Gallatin, fairgrounds restroom construction and replacement; Garfield, county building heating/cooling system replacement; Glacier, Glacier County jail/detention center; Golden Valley, fire hall and roads; Granite, Metesch Lane bridge replacement; Hill, Sheppard and Bulhook roads pavement overlay; Jefferson, Boulder south campus sewer replacement; Judith Basin, replace Arrow Creek and Judith River bridge; Lake, South Valley Creek bridge replacement, Skyline bridge repair, and courthouse weatherization; Lewis and Clark, Lewis and Clark County fairgrounds plaza; Liberty, Liberty senior center; Lincoln, Tobacco Valley industrial park infrastructure improvements and Kootenai business park improvements; Madison, Madison County office renovation and bridge improvement projects; McCone, geothermal heat loop courthouse retrofit; Meagher, county building energy efficiency and handicap accessibility updates; Mineral, Mineral County jail and courthouse restoration and repair;

Missoula, Big Flat road reconstruction; Musselshell, Goffena bridge replacement; Park, 9th Street bridge replacement; Petroleum, courthouse windows, Dovetail Creek crossing, and Petroleum County road upgrade; Phillips, courthouse parking lot and sidewalk projects; Pondera, Pondera County community and senior center remodel; Powder River, Powder River County fire hall; Powell, energy efficient windows and boiler for county courthouse; Prairie, county fairgrounds grandstand replacement and Terry park facilities renovation; Ravalli, Ambrose Creek road pavement preservation; Richland, Spring Lake road reconstruction; Roosevelt, energy efficient courthouse windows project; Rosebud, Ingomar water and sewer project and Forsyth library elevator project; Sanders, high bridge reconstruction; Sheridan, county road gravel and engineering, county road gravel crushing, Plentywood bypass route; Silver Bow, county road repair and maintenance; Stillwater, county courthouse and bridge; Sweet Grass, Pioneer medical center renovation; Teton, county nursing home and county road gravel; Toole, energy efficient lighting for Toole County hospital; Treasure, county building renovations; Valley, Valley County detention center addition; Wheatland, county road shop and Harlowtown fire hall; Wibaux, county fairgrounds exhibit building; Yellowstone, Clapper Flat and Vandaveer roads and courthouse remodel; and

(b) the following city and town projects: Alberton, street repairs and paving; Anaconda-Deer Lodge, street light renovation; Bainville, Simard Park improvements -- sprinkler systems and sidewalks; Baker, storm drain installation on South Montana 7 and Secondary 322; Bearcreek, town hall renovation and repairs; Belgrade, street intersection reconstruction and sidewalk extension; Belt, replace concrete water storage tank; Big Sandy, sewer main replacement and resurface Johannes Avenue; Big Timber, Anderson Street asphalt overlay project; Billings, reconstruction of Alkali Creek Road; Boulder, water system treatment project; Bozeman, water system treatment project, water reclamation facility -- water treatment plant design, recreation facility improvements, sidewalks and restroom upgrades in parks, and debris removal; Bridger, street and sidewalk repairs; Broadus, addition to city hall for police department and sewer lagoon repairs; Broadview, general repairs and maintenance; Brockton, wastewater system repairs and street and alley repairs; Browning, new fire hall; Butte-Silver Bow, road repairs and maintenance; Cascade, one block sewer main replacement; Chester, chip seal town streets; Chinook, city hall repair and improvements and paint armory building; Choteau, city hall-fire station remodel and replace unit heaters in Pavilion building; Circle, purchase street patcher equipment and sewer treatment plant; Clyde Park, construction of Lathrop Street; Colstrip, Orchard lift station replacement; Columbia Falls, street construction and improvements; Columbus, replace curb, gutter, and sidewalk on Pike Avenue; Conrad, replace hydrants and valves

and overlay Dakota Street; Culbertson, architecture design of new fire hall; Cut Bank, final engineering and design work for Railroad Street; Darby, water system improvement project; Deer Lodge, phase 1 sewer rehabilitation collection system; Denton, water-sewer upgrades, building repairs, and street repairs; Dillon, Glendale street project; Dodson, street repairs; Drummond, street repairs and park maintenance; Dutton, city park improvements; East Helena, renovate city hall; Ekalaka, bridge and street repair; Ennis, town hall expansion and remodel project; Eureka, repair main arterial road; Fairfield, design and erect new fire hall, televiser sewer lines, and replace hydrants; Fairview, park bathrooms renovation; Flaxville, water storage tank repairs; Forsyth, water storage tank and water works repairs; Fort Benton, chip seal city streets, U.S. highway 87 repairs, and airport runway improvements; Fort Peck, replace aging fire hydrants; Froid, water storage reservoir replacement; Fromberg, street and sidewalk repairs; Geraldine, main sewer line extension; Glasgow, rehabilitate southside lift station; Glendive, street reconstruction; Grass Range, water, sewer, and street repairs; Great Falls, West Bank street and right-of-way improvement and civic center roof repair; Hamilton, Tenth street reconstruction; Hardin, new fire hall; Harlem, city hall renovation and weatherization and street maintenance; Harlowton, replace sidewalks and install handicapped curbs; Havre, new lift station and recoat concrete water tank; Helena, Centennial Park trail system construction; Hingham, sewer project, street and sidewalk repairs, and fire hydrants; Hobson, extend water to boulevard on Main Street; Hot Springs, remodel fire hall and repair streets; Hysham, overlay town streets; Ismay, general repairs and maintenance; Joliet, sewer and water improvements; Jordan, improve existing streets; Judith Gap, Fourth Avenue street improvements; Kalispell, street projects; Kevin, drainage, culvert, and road repairs; Laurel, open ditch mitigation near middle school; Lavina, install new water system; Lewistown, chip seal streets; Libby, sewer main extension to Cabinet Heights; Lima, regravels streets and park shelter; Livingston, safety and building repairs to Sacajawea Park and repairs to sidewalks and streets; Lodge Grass, sewer lagoon; Malta, water and sewer line repairs and maintenance and street paving and repairs; Manhattan, sidewalk extensions, repairs, and maintenance; Medicine Lake, sewer lagoon maintenance, water tower, and waterworks repairs; Melstone, install fire hydrants, water and sewer installation to community center, and sidewalks, curbs, and gutters; Miles City, stormwater system sediment removal and debris removal; Missoula, ADA sidewalk ramps and North Higgins streetscape; Moore, street repairs and capital improvements; Nashua, sewer and water main replacements; Neihart, streets and capital improvements; Opheim, water system and general repairs; Outlook, connect water system to new well; Philipsburg, replace water and sewer lines; Pinesdale, capital improvements and repairs; Plains, city hall renovations including ADA bathrooms and furnace and air conditioning; Plentywood, engineering study of wastewater

treatment system, replace sidewalk at city hall and add gutter system, and chip seal streets; Plevna, culvert and drainage improvements and chip seal streets; Polson, Riverside water main replacement; Poplar, street repairs after water line installation; Red Lodge, roof repairs on city hall and police station; Rexford, community center siding and repairs; Richey, road repairs and maintenance; Ronan, repair and overlay Third Avenue Northwest; Roundup, curbs, gutters, and sidewalks on Second Avenue East; Ryegate, city park improvements; Saco, street repairs and maintenance; Saint Ignatius, street paving and pedestrian path and other park repairs; Scobey, weatherize city hall; Shelby, street repairs; Sheridan, street repairs and maintenance; Sidney, Twenty-Second Avenue Northwest reconstruction; Stanford, street intersection improvements and replacements; Stevensville, repair and replace roof on town hall complex building; Sunburst, resurface streets, ADA curbs and gutters, and other street repair; Superior, water construction phase II, street repairs, and renovate park buildings; Terry, park improvements; Thompson Falls, street repairs and replace water meters with radio read meters; Three Forks, pave streets and equip parks and recreation facilities; Townsend, Broadway sidewalk replacement; Troy, city hall restoration; Twin Bridges, public walking path connecting parks; Valier, install water tank, new water meters, and water lines and trunks; Virginia City, remodel and relocate city hall; Walkerville, street improvements; West Yellowstone, wastewater improvements; Westby, resurface streets; White Sulphur Springs, patch and repair city streets; Whitefish, new emergency services building; Whitehall, new ambulance building, wastewater improvements, and debris removal; Wibaux, remodel park bathroom as handicapped accessible; Winifred, drainage projects; Winnett, street drainage improvements; Wolf Point, gate valve and hydrant replacement; or
(c) "

42. Page 64, line 1.

Strike: "(A)"

Insert: "(i)"

Renumber: subsequent subsections

43. Page 64.

Following: line 8

Insert: "(3) The governing body of a county, city, or town may choose to propose to the department of commerce an alternate project to those listed in subsections (2)(a) and (2)(b) based on the criteria in subsection (2)(c). If the alternate project meets the criteria in subsection (2)(c), the department shall approve the project."

Renumber: subsequent subsection

44. Page 64.

Following: line 11

Insert: "(5) A recipient of funds under this section must expend the funds by September 30, 2010. Unexpended funds must revert to the state and be deposited in the state general fund. The department of commerce shall disburse the funds to recipients as quickly as possible."

45. Page 65, lines 2 and 3.

Following: "(5)" on line 2

Strike: remainder of line 2 through "PROGRAM." on line 3

Following: "START"

Insert: "energy program"

46. Page 65, line 5.

Strike: "81"

Insert: "85"

47. Page 66, line 8.

Strike: "MORTGAGE LOAN ASSISTANCE"

Insert: "Welcome home loan"

48. Page 66, line 14.

Strike: "59"

Insert: "60"

49. Page 66, line 16.

Insert: "NEW SECTION. Section 62. Fund transfer. There is transferred \$300,000 from the state general fund to the senior citizen and persons with disabilities transportation services account."

"NEW SECTION. Section 63. Allocation and distribution of increased state support for schools." The superintendent of public instruction shall allocate and distribute the funds appropriated in [section 85] for Increase State Support for Schools With Education Stabilization Funds as follows:

(1) for fiscal year 2010:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2010 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act]; and

(2) for fiscal year 2011:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2011 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school

district using the recalculated basic and per-ANB entitlements;
and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act].

Renumber: subsequent sections

50. Page 70, lines 5 and 6.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

51. Page 70, line 8.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

52. Page 70, line 9.

Strike: "tribal"

Insert: "Indian country"

53. Page 70.

Following: line 9

Insert: "(ii) high-performance computing in the amount of \$2,000,000, then the general fund appropriation for that purpose in House Bill No. 2 is void;"

Renumber: subsequent subsections

54. Page 70, line 11.

Following: "(iv) the"

Insert: "Montana"

55. Page 70, line 17.

Strike: "THAT PURPOSE"

Insert: "BASE aid"

56. Page 70, line 18.

Strike: "\$12,763,569"

Insert: "\$14,613,477"

Strike: "\$13,216,482"

Insert: "\$25,779,699"

Following: "2011;"

Strike: "AND"

57. Page 70, line 20.

Strike: "\$31,605,482"

Insert: "\$29,762,223"

Strike: "\$31,605,482"

Insert: "\$29,762,224"

Following: "FY 2011"

Insert: "; and

(d) to the office of the commissioner of higher education

for Replace 6-Mill Levy Revenue Shortfall With Federal General Stabilization Funds, then the state special revenue fund appropriation in House Bill No. 2 is reduced by \$1,447,296 in fiscal year 2010 and \$1,046,625 in fiscal year 2011"

58. Page 71, line 1.

Strike: "the amount of the difference between the amount specified in subsection (1) and"

59. Page 71, line 2.

Strike: "81"

Insert: "85"

60. Page 71, line 8.

Following: "TOTAL"

Strike: "ALLOCATIONS"

Insert: "appropriations"

61. Page 71, line 10.

Strike: "\$20"

Insert: "\$17"

62. Page 71, line 21 through page 72, line 1.

Strike: "the amount" on page 71, line 21 through "and" on page 72, line 1

Strike: "81"

Insert: "85"

63. Page 72, lines 2 and 3.

Strike: subsection (4) in its entirety

64. Page 72, line 6.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

65. Page 72, line 9.

Strike: "\$2.5"

Insert: "\$3.5"

66. Page 72, line 15.

Following: "amount of"

Strike: "a fund transfer or"

67. Page 72, lines 16 and 17.

Following: "corresponding" on line 16

Strike: "transfer or"

Strike: "of the difference" on page 72, line 16 through "transferred or" on page 72, line 17

Strike: "81"

Insert: "85"

68. Page 73, line 5.

Strike: "81"

Insert: "85"

69. Page 73, line 12.

Strike: "81"

Insert: "85"

70. Page 73, line 19.

Strike: "81"

Insert: "85"

71. Page 74, line 2.

Strike: "33"

Insert: "34"

72. Page 74, line 3.

Strike: "33"

Insert: "34"

73. Page 74, line 4.

Strike: "52" in both places

Insert: "53" in both places

74. Page 74, line 5.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

75. Page 74, line 6.

Strike: "54"

Insert: "55"

Strike: "55"

Insert: "56"

76. Page 74, line 7.

Strike: "42"

Insert: "43"

Strike: "43"

Insert: "44"

77. Page 74, line 8.

Strike: "42"

Insert: "43"

Strike: "43"

Insert: "44"

78. Page 74, line 9.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

79. Page 74, line 10.

Strike: "44"
Insert: "45"
Strike: "45"
Insert: "46"

80. Page 74, line 11.

Strike: "50" in both places
Insert: "51" in both places
Strike: "51" in both places
Insert: "52" in both places

81. Page 74, line 20.

Strike: "35"
Insert: "36"
Strike: "37"
Insert: "38"

82. Page 75, lines 2 and 3.

Following: "27" on line 2
Strike: remainder of line 2 through "60" on line 3
Insert: "31 through 33, 35 through 42, 57, 58, 60, and 61"

83. Page 75, line 5.

Strike: "81"
Insert: "85"

84. Page 75, line 4.

Insert: "NEW SECTION. Section 83. Voided appropriation -- use -- appropriation. If a general fund appropriation contained in [section 85] is voided or vetoed, then the amount of the voided or vetoed general fund appropriation is appropriated to the department of commerce. The department shall use 25% of the appropriation for distribution to counties pursuant to [section 57(1)(a)], 25% of the appropriation for distribution to cities and towns pursuant to [section 57(1)(b)], 25% of the appropriation for distribution to tribal governments pursuant to [section 57(1)], and 25% for distribution to school districts pursuant to [section 57(4)]."
Renumber: subsequent sections

85. Page 75, line 9.

Following: "2011."
Insert: "The office of budget and program planning is authorized to transfer up to \$2 million of the appropriations,

authority, or both in this section between the general fund and the federal special revenue fund for the purpose of making adjustments to maintain necessary maintenance of effort and other requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for the use of both the state general fund and the federal state fiscal stabilization funds."

86. Page A-1.

Following: line 1

Insert: "LEGISLATIVE BRANCH (1104)

1. Legislative Committees and Activities (21)

117,084 121,520" [General fund FY 10 and FY 11]

"Total 117,084 121,520" [General fund FY 10 and FY 11]

If Senate Bill No. 100 is not passed and approved, the general fund appropriation in the amount of \$117,084 in fiscal year 2010 and in the amount of \$121,520 in fiscal year 2011 for Legislative Committees and Activities is void."

87. Page A-1, line 13 through page A-2, line 8.

Strike: Page A-1, line 13 through page A-2, line 8 in their entirety

88. Page A-2, line 11.

Following: "a."

Insert: "Montana"

89. Page A-2, line 16.

Strike: "Tribal"

Insert: "Indian Country"

90. Page A-3.

Following: line 15

Insert: "h. High-Performance Computing

1,000,000 1,000,000" [general fund FY 10 and FY 11]

"i. New Worker Training Program 655,698 655,698"
[general fund in FY 2010 and FY 2011]

91. Page A-5, line 4.

Strike: "23,000,000 22,000,000" [General fund & State special revenue FY 10]

Insert: "25,000,000 20,000,000" [General fund & State special revenue FY 10]

92. Page A-5, lines 5 through 7.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

93. Page A-5, line 12.

Strike: "1,500,000 1,500,000" [general fund FY 10 and FY 11]

Insert: "2,000,000 2,000,000" [general fund FY 10 and FY 11]

94. Page A-6, line 11.

Strike: "3,536,800 11,497,200" [state special revenue FY 10 and FY 11]

Insert: "34,000" [state special revenue FY 11]

95. Page A-8.

Following: line 3

Insert: "c. Quick Start Energy Grants 14,950,000" [state special revenue FY 10]

96. Page A-9.

Strike: lines 2 and 3 in their entirety

Insert: "The line item for New Worker Training is to provide training funds for businesses to train and educate both new and existing employees, the purpose of which is the retention and creation of high-wage and high-skilled jobs that will increase the earning potential and employment opportunities for Montana employees and enhance the state's economy. The line item for New Worker Training is intended to be implemented using a framework similar to that established under the Primary Sector Business Workforce Training Act provided for in Title 39, chapter 11, except that the New Worker Training appropriation line item is to be used to train and educate both new and existing employees.

The line item and general fund appropriation in the amount of \$1,311,396 for New Worker Training is contingent upon passage and approval of Senate Bill No. 100. If Senate Bill No. 100 is not passed and approved, the appropriation for New Worker Training is void.

If Senate Bill No. 100 is not passed and approved, there is an appropriation to the Community Development Division in the amount of \$4.5 million general fund for fiscal year 2010 for the provision of grants by the coal board established in 2-15-1821."

97. Page A-9, line 11.

Strike: "56"

Insert: "57"

Strike: "57"

Insert: "58"

98. Page A-10.

Following: line 9

Insert: "The amount of \$1 million of the general fund appropriation for Historic Preservation Competitive Grants is contingent upon passage and approval of Senate Bill No. 100."

99. Page B-4, line 8.

Strike: "1,000,000 1,000,000" [General fund FY 10 & FY 11]

Insert: "1,000,000 1,000,000" [Federal funds FY 10 & FY 11]

100. Page B-4.

Following: line 10

Insert: "d. HB 173 -- Implementing National Public Health Standards (Restricted) 200,000 200,000" [general fund FY10 FY11]

101. Page B-4, line 13.

Strike: "375,000 375,000" [general fund FY10 and FY11]

Insert: "357,000 357,000" [general fund FY10 and FY11]

102. Page B-6, line 12.

Strike: "1,500,000 1,500,000" [General fund FY 10 and FY 11]

Insert: "58,919 58,918 " [General fund FY 10 and FY 11]
"1,441,081 1,441,082" [Federal funds FY 10 and FY 11]

103. Page B-6, line 16.

Following: "RESTRICTED"

Insert: "/Biennial"

104. Page B-7.

Strike: line 2

Insert: "25,000" [general fund FY 10]

"b. Implement HB 130 (Biennial/Restricted)
475,000" [General fund FY 10]

105. Page B-8.

Following: line 6

Insert: "HB 173 -- Implementing National Public Health Standards may be used only to make grants to local public health agencies. The line item and general fund appropriation in the amount of \$400,000 over the biennium for HB 173 -- Implementing National Public Health Standards is contingent upon passage and approval of Senate Bill No. 100. If Senate Bill No. 100 is not passed and approved, the appropriation for HB 173 -- Implementing National Public Health Standards is void."

106. Page B-9, line 15.

Strike: "AND"

Insert: "or"

107. Page B-9, following line 15.

Insert: "Implement HB 130 is contingent upon passage and approval of House Bill No. 130. If House Bill No. 130 is not passed and approved, Implement HB 130 must be used for matching grants for mental health crisis centers."

108. Page C-5, line 12.

Strike: "2,500,000 2,500,000" [federal special revenue FY10

and FY11]

Insert: "4,250,000 4,250,000" [federal special revenue FY10
and FY11]

109. Page D-1, line 6.

Strike: "125,000 125,000" [general fund FY 10 and FY 11]

Insert: "250,000 250,000" [general fund FY 10 and FY 11]

110. Page D-1.

Following: line 10

Insert: "The amount of \$250,000 of the general fund appropriation for Self-Help Law Program is contingent upon passage and approval of Senate Bill No. 100."

111. Page D-4, line 2.

Strike: "73,225 73,620" [General fund FY 10 & FY 11]

Insert: "73,225 73,620" [Federal funds FY 10 & FY 11]

112. Page D-4, line 5.

Strike: "997,547 1,002,781" [General fund FY 10 & FY 11]

Insert: "997,547 1,002,781" [Federal funds FY 10 & FY 11]

113. Page D-4, line 8.

Strike: "282,040 283,346" [General fund FY 10 & FY 11]

Insert: "282,040 283,346" [Federal funds FY 10 & FY 11]

114. Page E-1.

Following: line 14

Insert: "e. Montana Learning Center (Restricted)
50,000 [general fund FY10]"

115. Page E-3, line 7.

Strike: "12,763,509 13,216,482" [federal special revenue FY10
FY11]

Insert: "14,613,477 25,779,699" [federal special revenue FY10
FY11]

116. Page E-3, line 9.

Strike: "10,724,262 21,713,034" [federal special revenue FY10
FY11]

Insert: "10,717,552 10,993,075" [federal special revenue FY10
FY11]

117. Page E-4.

Following: line 3

Insert: "Montana Learning Center funding may be used only for deferred maintenance on facilities or for making energy efficiency improvements at the Montana learning center."

118. Page E-4, line 12.

Strike: "16,507" [general fund FY10]

Insert: "34,507 18,000" [general fund FY10 and FY11]

119. Page E-7, line 4.

Strike: "31,605,482 31,605,482" [federal special revenue FY10 FY11]

Insert: "29,762,223 29,762,224" [federal special revenue FY10 FY11]

120. Page E-9, line 10.

Following: "ASSISTANCE"

Strike: "WILL"

Insert: "must"

121. Page E-9, line 11.

Following: "FOLLOWS:"

Strike: remainder of line 11

Insert: "\$400,000 to Flathead Valley community college, \$700,000 to Miles community college, and \$700,000 to Dawson community college."

122. Page E-9.

Strike: lines 14 and 15 in their entirety

123. Page F-1, line 4.

Following: "Program"

Insert: "Additional"

Following: "TRANSFER"

Strike: "Allocation"

124. Page F-2, line 4.

Following: "TRANSFER"

Insert: "and"

125. Page F-2, line 9.

Following: "TRANSFER"

Strike: "Allocation"

126. Page F-3, line 8.

Strike: "1,250,000 1,250,000" [general fund FY 10 and FY 11]

Insert: "1,750,000 1,750,000" [general fund FY 10 and FY 11]

127. Page F-3, line 9.

Following: "Montana"

Insert: "(Department of Administration)"

128. Page F-4, lines 2 through 4.

Strike: line 2 through line 4 in their entirety

129. Page F-4, line 13.

Strike: "21,500,000 21,500,000" [General fund FY 10 and FY 11]

Insert: "35,034,000" [General fund FY 10]

130. Page F-6.

Following: line 8

Insert: "The amount of \$1 million of the general fund appropriation for Enterprise System Services Center Equipment is contingent upon passage and approval of Senate Bill No. 100."

- END -

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{Internal References to 45-7-210: None.x}"

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Peterson moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator R. Brown in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 645 - Free Conference Committee Report No. 1 - Senator Esp moved the Free Conference Committee report to **HB 645** be adopted. Motion carried as follows:

Yeas: Bales, Barrett, Black, Branae, Brueggeman, Cooney, Curtiss, Erickson, Esp, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Junciau, Kaufmann, Kcane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Perry, Ripley, Schmidt, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.

Total 37

Nays: Balyeat, Barkus, Brenden, R. Brown, T. Brown, Essmann, Hinkle, Jackson, Murphy, Peterson, Shockley, Squires, Wanzenried.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Peterson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman R. Brown moved the Committee of the Whole report be adopted. Report adopted unanimously.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Peterson moved that the Senate adjourn until 8:30 a.m., Tuesday, April 28, 2009. Motion carried.

Senate adjourned at 5:28 p.m.

MARILYN MILLER
Secretary of the Senate

ROBERT STORY
President of the Senate

2nd Reading

HOUSE JOURNAL
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SB 263 - Governor's Amendments - Representative Menahan moved Governor's amendments to **SB 263** be concurred in. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Bennett, Berry, Blasdel, Blewett, Boland, Boniek, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, MacDonald, MacLaren, Malck, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, Miller, More, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Randall, Regier, Reichner, Reinhart, Roberts, Roundstone, Sales, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Vincent.

Total 1

SB 5 - Free Conference Committee Report No. 1 - Representative Sesso moved the Free Conference Committee report to **SB 5** be adopted. Motion carried as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boniek, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jones, Jopek, Klock, Kottel, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McGillvray, McNutt, Mehlhoff, Menahan, Milburn, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 75

Nays: B. Beck, Bennett, Blasdel, Brown, Driscoll, Hendrick, Ingraham, Kasten, Kerns, Lake, Mendenhall, Miller, More, Morgan, A. Noonan, Randall, Regier, Sales, Smith, Sonju, Stahl, Taylor, Vance, Vincent, Wagner.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 645 - Free Conference Committee Report No. 1 - Representative Sesso moved the Free Conference Committee report to **HB 645** be adopted. Motion carried as follows:

Yeas: Ankney, Augare, Barrett, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel,

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MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Van Dyk, Villa, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 69

Nays: Arntzen, Bean, B. Beck, Bennett, Blasdel, Boniek, Brown, Butcher, Hendrick, Howard, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, A. Noonan, Randall, Regier, Reichner, Sales, Smith, Sonju, Stahl, Taylor, Vance, Vincent, Wagner, Warburton.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Campbell moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Augare moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Augare, Barrett, Bean, B. Beck, P. Beck, Becker, Belcourt, Berry, Blewett, Boland, Boss Ribs, Brown, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Howard, Hunter, Jones, Jopek, Klock, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Sonju, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Washburn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 77

Nays: Arntzen, Bennett, Blasdel, Boniek, Hendrick, Ingraham, Kasten, Kerns, McGillvray, Mendenhall, Miller, More, Randall, Regier, Sales, Smith, Stahl, Wagner, Warburton.

Total 19

Excused: Hoven, Kottel.

Total 2

Absent or not voting: Ankney, Welborn.

Total 2

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Campbell moved that the House recess until 10:30 a.m., Tuesday, April 28, 2009. Motion carried.

House recess at 9:10 a.m.

The House came to order at 10:32 a.m.

Roll Call. All members present, except Representative Hoven and Kottel, excused. Quorum present.

3rd Reading

SENATE JOURNAL
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J. Tropila, M. Tropila, Tutvedt, Williams, Zinke, Mr. President.
Total 43

Nays: Balyeat, Jackson, Kaufmann, Shockley, Squires, Wanzenried.
Total 6

Absent or not voting: None.
Total 0

Excused: Windy Boy.
Total 1

HB 645, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Bales, Barrett, Black, Branae, Brenden, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Gebhardt, Gillan, Hamlett, Hansen, Jent, Keane, Laible, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Ripley, Schmidt, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.
Total 34

Nays: Balyeat, Barkus, R. Brown, Esp, Essmann, Gallus, Hawks, Hinkle, Jackson, Juneau, Kaufmann, Larsen, Peterson, Shockley, Squires, Wanzenried.
Total 16

Paired: Windy Boy, Aye; Hawks, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 658, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branac, Brenden, R. Brown, T. Brown, Curtiss, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hinkle, Jackson, Jent, Keane, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.
Total 37

Nays: Brueggeman, Cooney, Erickson, Gallus, Hawks, Juneau, Kaufmann, Larsen, Laslovich, Moss, Squires, M. Tropila, Wanzenried.
Total 13

Paired: Windy Boy, Aye; Hawks, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

3rd Reading

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McClafferty, McNutt, Menahan, Milburn, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 73

Nays: Bean, Bennett, Blasdel, Boniek, Brown, Hendrick, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Miller, More, Morgan, A. Noonan, Randall, Regier, Sales, Smith, Sonju, Stahl, Taylor, Vance, Vincent, Wagner.

Total 26

Excused: None.

Total 0

Absent or not voting: Mehlhoff.

Total 1

HB 123 Free Conference Committee report, adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, Bean, B. Beck, P. Beck, Belcourt, Bennett, Blasdel, Blewett, Boland, Boss Ribs, Brown, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Mendenhall, Milburn, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Peterson, Phillips, Pomnichowski, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Smith, Sonju, Stahl, Steenson, Stoker, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Washburn, Welborn, Wilmer, Wilson, Mr. Speaker.

Total 86

Nays: Becker, Berry, Bonick, Caferro, Kasten, Kerns, McGillvray, Miller, More, Morgan, Randall, Regier, Sales, Wiseman.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 645 Free Conference Committee report, adopted as follows:

Yeas: Ankney, Augare, P. Beck, Belcourt, Berry, Boland, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hawk, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, MacDonald, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Reinhart, Roberts, Sesso, Steenson, Stoker, Washburn, Welborn, Wilson, Wiseman.

Total 51

Nays: Arntzen, Barrett, Bean, B. Beck, Becker, Bennett, Blasdel, Blewett, Bonick, Boss Ribs, Brown, Butcher, Campbell, Hamilton, Hands, Hendrick, Howard, Ingraham, Kasten, Kerns, Kottel, Lake, MacLaren, Malek, McAlpin, McGillvray, Mendenhall, Miller, More, A. Noonan, Peterson, Randall, Regier, Reichner, Roundstone, Sales, Sands, Smith, Sonju, Stahl, Taylor, Vance, Van Dyk, Villa, Vincent, Wagner, Warburton, Wilmer, Mr.

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Speaker.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 658 Free Conference Committee report, adopted as follows:

Yeas: Ankney, Arntzen, Bean, P. Beck, Bennett, Berry, Blasdel, Blewett, Bonick, Butcher, Driscoll, Ebinger, Fleming, French, Getz, Glaser, Grinde, Hawk, Hendrick, Himmelberger, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kasten, Kerns, Klock, Lake, MacDonald, MacLaren, McChesney, McGillvray, McNutt, Mehlhoff, Mendenhall, Milburn, More, Morgan, Nooney, O'Hara, Pease-Lopez, Peterson, Randall, Regier, Reichner, Roberts, Sales, Smith, Stoker, Taylor, Vance, Van Dyk, Vincent, Washburn, Welborn, Mr. Speaker.
Total 57

Nays: Augare, Barrett, B. Beck, Becker, Belcourt, Boland, Boss Ribs, Brown, Caferro, Campbell, Cohenour, Dickenson, Furey, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Hunter, Jopek, Kottel, Malek, McAlpin, McClafferty, Menahan, Miller, A. Noonan, P. Noonan, Phillips, Pomnichowski, Reinhart, Roundstone, Sands, Sesso, Sonju, Stahl, Steenson, Villa, Wagner, Warburton, Wilmer, Wilson, Wiseman.
Total 43

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 676 Free Conference Committee report, adopted as follows:

Yeas: Ankney, Arntzen, Augare, Barrett, B. Beck, P. Beck, Belcourt, Blewett, Boland, Boss Ribs, Butcher, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Fleming, French, Furey, Getz, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jones, Jopek, Klock, Kottel, Lake, MacDonald, MacLaren, Malek, McAlpin, McChesney, McClafferty, McNutt, Mehlhoff, Menahan, Milburn, Morgan, A. Noonan, P. Noonan, Nooney, O'Hara, Pease-Lopez, Phillips, Pomnichowski, Regier, Reichner, Reinhart, Roberts, Roundstone, Sands, Sesso, Steenson, Stoker, Taylor, Van Dyk, Villa, Warburton, Washburn, Welborn, Wilson, Wiseman, Mr. Speaker.
Total 75

Nays: Bean, Becker, Bennett, Berry, Blasdel, Boniek, Brown, Howard, Ingraham, Kasten, Kerns, McGillvray, Mendenhall, Miller, More, Peterson, Randall, Sales, Smith, Sonju, Stahl, Vance, Vincent, Wagner, Wilmer.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

May 14, 2009

HB 645 text w/Gov Line Item Vetoes (.pdf)

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby deliver to you House Bill 645, **"AN ACT IMPLEMENTING THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 . . . ,"** which I have signed into law with items "struck out," or vetoed.

I cannot fairly discuss House Bill 645, the bill to implement the federal stimulus act in Montana, without also commenting upon House Bill 2, the general appropriations act to fund Montana state government for the coming biennium. Combined, I commend the 61st Legislature for passing a fiscally prudent budget through which Montana will live within its means while investing in important programs, such as the voter-passed children's health initiative and Montana's K-12 public schools. Of equal significance, when I submitted my proposed budget to the 61st Legislature for its consideration, I requested an ending fund balance of \$250 million. I am pleased that with passage of these two bills, more than \$250 million remains in the state's savings account in the event the State's actual revenues fall short of current projections.

Turning to House Bill 645, my item vetoes fall into three general categories: the first allows me to exercise my constitutional authority to veto items and actually see a reduction in state expenditures; the second reduces state spending by more than \$4.5 million on items which I believe are unnecessary or excessive; and the third relates to provisions in the bill which I believe are constitutionally infirm. What follows is an explanation for each individual item veto.

First, section 83 of House Bill 645 (page 56) is what I refer to as a general "re-appropriation" provision. It states that any specific item of appropriation that is vetoed or voided in the appropriations section (section 85) of the bill will be automatically appropriated to counties, cities, tribes, and schools under the formula contained in section 57. Absent my veto of section 83, my item vetoes of specific appropriations would not reduce spending in House Bill 645, but would lead to their "re-appropriation" to local governments and Montana tribes. My goal in issuing the item vetoes is to reduce state spending, not to redirect the money to enable other governmental entities to spend it.

Second, I have vetoed the following appropriations, and accompanying narrative provisions:

- Welcome Home Loan Program, \$2 million state special revenue (page A-3; sections 60 and 61, pages 49 and 50): While the language establishing this new program would lead the undiscerning reader to believe its purpose was to assist first-time home buyers, the program actually is set up to protect financial lenders by shifting the risk of certain home loans exclusively to the State. Under this temporary, new program, lenders, such as banks, could loan money to first-time home buyers for down payments and closing costs to be pledged with federal tax credits. If home buyers failed to repay their loans by June 30, 2010, the State of Montana would be obligated to purchase those loans before

August 1, 2010. The effect would be that the State would step into the shoes of the lender holding a defaulted loan obligation – not a particularly desirable position. Furthermore, the State, as a creditor, would be in a subordinate position to the mortgage lender, which would be the first lien holder. To summarize, though billed as a program to assist home buyers, the real effect of the program would be to benefit lending institutions by shifting all risk on these loans to the State. I also note that the State of Montana already has a first-time home buyer program that has been in existence since 1977, and that program is well-run and sufficiently funded.

- Rail Transit Authority, \$99,354 state general fund (page C-2): As you know, I have vetoed Senate Bill 291, establishing a Montana Railroad Development Authority. The item vetoed in House Bill 645 would fund the Authority, which I do not support, for the reasons previously stated in my veto message to Senate Bill 291.
- Meth Watch, \$500,000 state general fund (pages D-1 and D-2): The Montana Meth Project, a private undertaking, first approached me for state funding as I was preparing my budget to present to the 2007 Legislature for its consideration. Then, I was asked to support “seed money” for the project that was to become self-sustaining. My proposed budget included \$1 million for the Meth Project, and the 2007 Legislature appropriated that amount for the program for the biennium. The Meth Project has not become self-sustaining, and I was asked before the 2009 session to again include money for the project in my proposed budget. A representative of the Montana Meth Project informed me that its annual budget is \$2.1 million, and I included \$500,000 of state funding for the project in my proposal to the Legislature. Additionally, Congress recently appropriated \$1 million for the Montana Meth Project, and, consistent with my original proposal, House Bill 2, which will become law, appropriates \$500,000 to the project for the coming biennium. Again, given these economically difficult times, I do not believe the additional appropriation to this program of \$500,000 in state general funds contained in House Bill 645 is warranted, and for this reason I have vetoed that appropriation. With this item veto, the meth project will need to move toward its own goal of become self-sustaining and raise \$600,000 through private fundraising to reach its projected budget, or, like the rest of us, tighten its belt and manage with less.
- Agriculture Experiment Station - Equipment and Infrastructure, \$2 million state general fund (page E-4): House Bill 2 appropriates over \$24 million to Montana’s Agriculture Experiment Stations. Particularly in these difficult economic times, I do not believe the additional \$2 million of general fund appropriations to the Agriculture Experiment Stations in House Bill 645 are necessary. I have asked parents, students, the disabled, and others across the state to tighten their belts and live within their means. I am Montana’s first, and the nation’s only, agricultural researcher and scientist to serve as governor and, naturally, agricultural research is close to my heart. Despite that fact, I am directing that these state-funded agriculture programs limit their expenditures and live within their means, just as the rest of Montana must do.

Third, I have issued one item veto in order to simplify the accounting and tracking of House Bill 13, the state pay plan bill, for the state’s budget analysts. Both House Bill 645 and House Bill 13 contain certain identical appropriations to implement House Bill 13, although only one set of these appropriations will become law. I vetoed the duplicate provisions found in House Bill 645 (section 75, pages 54 and 55, and page A-1), and, as a result, *all* the appropriations to implement the pay plan bill will be contained in the pay plan bill, itself, House Bill 13.

My final item vetoes are found scattered throughout House Bill 645, and strike language that I believe is constitutionally defective. In six instances, House Bill 645 contains narrative that would have either voided or reduced appropriations to programs located in all three branches of government had Senate Bill 100, an unrelated bill, not become law.

Senate Bill 100, increasing distribution of coal severance tax revenue to counties, became law without my signature. Had Senate Bill 100 not passed the legislature, or had I successfully vetoed Senate Bill 100, under the objectionable language found in House Bill 645, the demise of Senate Bill 100 would have reduced or eliminated appropriations to the legislative branch for committee work, the judicial branch for its self-help law program, and three executive branch departments for areas as diverse as worker training, historic preservation, public health standards, and information technology. Thus, funding for these six programs, which are unrelated to the coal tax distribution to counties found in Senate Bill 100, was held "hostage" to the passage of Senate Bill 100.

The Montana Constitution's "single subject" requirement prohibits the legislature from placing a "rider" in one bill in order to hold it hostage dependent upon the outcome of a separate, unrelated bill. My item veto authority, which I have exercised with regard to these objectionable provisions, extends to the veto of "riders." *Cobb v. Schweitzer*, Cause No. CDV-2005-320, Memorandum and Order of December 21, 2006, Montana First Judicial District Court, Lewis and Clark County. I believe the provisions linking the funding of the six unrelated programs to passage or failure of Senate Bill 100 are constitutionally impermissible riders.

I have taken the step of exercising this item veto authority as a notice to the Legislature of my constitutional objections to these provisions. I note that in 2007, I also observed similar provisions in bills winding their way through the Legislature, however those constitutionally problematic "contingent voidness" provisions did not reach my desk. While I recognize that there is a proper use of "contingent voidness" provisions in legislation, when those provisions are contained in wholly unrelated pieces of legislation, are outside the "single subject" rule, and are for purposes solely of political leveraging, I do not believe they meet the constitutional standard. To the extent these objectionable provisions were inserted into House Bill 645 to effect my decision on whether to sign, veto, or let become law Senate Bill 100, I also believe they encroached upon my veto authority. So that you also know, my decision to let Senate Bill 100 become law was in no way based upon these troubling provisions in House Bill 645.

In closing, I thank the Legislature for doing its job. Now it is time for me to continue with the business of running the executive branch of government within the policy and budget framework the Legislature established for the State of Montana for the next two years.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

1279

f. Class 12 (vans – all types)

Per Hour Assigned	\$1.825	\$1.858
Per Mile Operated	\$0.251	\$0.253

2. Equipment Program

All of Program Operations 60-day working capital reserve

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

— 5706

1. Air Operations Program

a. Bell UH-1H	\$1,210	\$1,210
b. Bell Jet Ranger	\$515	\$515
c. Cessna 180 Series	\$170	\$170

DEPARTMENT OF JUSTICE - 4110

1. Agency Legal Services

a. Attorney (per hour)	\$93.00	\$93.00
b. Investigator (per hour)	\$53.00	\$53.00

DEPARTMENT OF CORRECTIONS - 6401

1. Labor Charge for Motor Vehicle Maintenance (per hour)

\$26.50	\$26.50
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2. Supply Fee as a Percentage of Actual Costs of Parts

3%	3%
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3. Parts

Actual Cost	Actual Cost
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4. Cook/Chill Rate — Base Tray Price (no delivery) \$1.69 \$1.69

5. Delivery Charge Per Mile \$0.50 \$0.50

6. Delivery Charge Per Hour \$35.00 \$35.00

7. Spoilage Percentage All Customers 4% 4%

8. Overhead Charge

a. Montana State Hospital — Supplies Only	12%	12%
b. Montana State Hospital — Except Supplies	6%	6%
c. Montana State Prison — Supplies Only	77%	77%
d. Montana State Prison — Except Supplies	41%	41%
e. Treasure State Correctional Training Center — Supplies Only	11%	11%
f. Treasure State Correctional Training Center — Except Supplies	6%	6%

OFFICE OF PUBLIC INSTRUCTION - 3501

1. OPI Indirect Cost Pool

a. Unrestricted Rate	24%	24%
b. Restricted Rate	16.3%	16.3%

Approved May 14, 2009

CHAPTER NO. 489

[HB 645]

AN ACT IMPLEMENTING THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; PROVIDING APPROPRIATIONS OF FEDERAL FUNDS AND OTHER FUNDS AVAILABLE BECAUSE OF THE RECEIPT OF FEDERAL FUNDS; REVISING STATUTES TO IMPLEMENT THE RECEIPT AND EXPENDITURE OF THE FEDERAL FUNDS AND THE FUNDS AVAILABLE BECAUSE OF THE RECEIPT OF THE FEDERAL FUNDS; AUTHORIZING THE ADOPTION OF RETROACTIVE ADMINISTRATIVE RULES; REVISING THE ALLOCATION OF THE HOSPITAL BED TAX; REVISING INDIRECT COST RECOVERY LAWS; REVISING THE DEFINITIONS OF BASE BUDGET AND PRESENT LAW BASE FOR THE NEXT STATE BUDGET CYCLE; CLARIFYING THE PAYMENT OF SCHOOL DISTRICT EMPLOYEE RETIREMENT COSTS FOR THE ENSUING BIENNium; REVISING THE BASE PERIOD FOR UNEMPLOYMENT BENEFITS; PROVIDING FOR A PART-TIME WORK SEARCH AND PARTICIPATION IN WORKER TRAINING FOR UNEMPLOYMENT PURPOSES; REVISING THE USE OF THE HEALTH AND MEDICAID INITIATIVES ACCOUNT; INCREASING THE ELIGIBILITY FOR CASH ASSISTANCE BENEFITS FROM THE TANF BLOCK GRANT; CLARIFYING WATER POLLUTION LAWS AND THE USE OF FEDERAL FUNDS FOR WATER PROJECTS; REVISING THE ALTERNATIVE ENERGY LOAN PROGRAM; ESTABLISHING THE DISTRESSED WOOD PRODUCTS INDUSTRY RECOVERY PROGRAM; PROVIDING FOR A QUICK START ENERGY PROGRAM WITHIN THE DEPARTMENT OF COMMERCE FOR QUICK START ENERGY EFFICIENCY IMPROVEMENTS FOR SCHOOL FACILITIES; REVISING THE PRIORITIES FOR FUNDING UNDER THE BIG SKY ECONOMIC DEVELOPMENT PROGRAM; PROVIDING FOR THE ALLOCATION AND AUTHORIZATION OF THE TYPES OF BONDS MADE AVAILABLE UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009; AUTHORIZING THE MONTANA FACILITY FINANCE AUTHORITY TO FINANCE CERTAIN PROJECTS FOR FOR-PROFIT OR NONPROFIT CORPORATIONS AND ORGANIZATIONS; PROVIDING FOR TAXATION OF THOSE PROJECTS; PROVIDING FOR THE DISTRIBUTION OF FUNDS FOR IMPROVEMENTS FOR SCHOOL FACILITIES; AUTHORIZING A PERMISSIVE SCHOOL LEVY FOR THE BASE BUDGET; AUTHORIZING A SCHOOL DISTRICT LEVY FOR THE OVER-BASE BUDGET; ESTABLISHING THE ENERGY DEVELOPMENT AND DEMONSTRATION GRANT PROGRAM; PROVIDING A FUND TRANSFER FROM THE STATE GENERAL FUND TO THE SENIOR CITIZEN AND PERSONS WITH DISABILITIES TRANSPORTATION SERVICES ACCOUNT; EXTENDING THE HOSPITAL BED TAX; AMENDING SECTIONS 2-4-306, 7-7-2255, 7-7-2501, 7-7-4255, 7-7-4421, 7-7-4501, 7-12-2171, 7-15-4290, 7-15-4301, 7-15-4302, 15-66-102, 17-1-106, 17-2-124, 17-5-504, 17-5-803, 17-5-922, 17-5-1506, 17-7-102, 17-7-402, 17-7-502, 20-9-403, 20-9-433, 20-9-501, 20-25-402, 20-25-427, 39-51-201, 52-3-115, 53-4-212, 53-6-149, 53-6-1201, 75-5-1102, 75-5-1107, 75-6-202, 75-6-226, 75-25-101, 75-25-102, 90-1-204, 90-5-101, 90-5-103, 90-7-102, AND 90-7-104, MCA, SECTION 20, CHAPTER 390, LAWS OF 2003, SECTIONS 4 AND 7, CHAPTER 606, LAWS OF 2005, SECTIONS 4, 5, 6, AND 8, CHAPTER 517, LAWS OF 2007, AND SECTION 9-B, CHAPTER 5, SPECIAL LAWS OF MAY 2007; AND PROVIDING AN

IMMEDIATE EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 2-4-306, MCA, is amended to read:

"2-4-306. Filing, format, and adoption and effective dates — dissemination of emergency rules. (1) Each agency shall file with the secretary of state a copy of each rule adopted by it or a reference to the rule as contained in the proposal notice. A rule is adopted on the date that the adoption notice is filed with the secretary of state and is effective on the date referred to in subsection (4), except that if the secretary of state requests corrections to the adoption notice, the rule is adopted on the date that the revised notice is filed with the secretary of state.

(2) Pursuant to 2-15-401, the secretary of state may prescribe rules to effectively administer this chapter, including rules regarding the format, style, and arrangement for notices and rules that are filed pursuant to this chapter, and may refuse to accept the filing of any notice or rule that is not in compliance with this chapter. The secretary of state shall keep and maintain a permanent register of all notices and rules filed, including superseded and repealed rules, that must be open to public inspection and shall provide copies of any notice or rule upon request of any person. Unless otherwise provided by statute, the secretary of state may require the payment of the cost of providing copies.

(3) If the appropriate administrative rule review committee has conducted a poll of the legislature in accordance with 2-4-403, the results of the poll must be published with the rule if the rule is adopted by the agency.

(4) ~~Each~~ *Subject to subsection (6), each* rule is effective after publication in the register, as provided in 2-4-312, except that:

(a) if a later date is required by statute or specified in the rule, the later date is the effective date;

(b) subject to applicable constitutional or statutory provisions:

(i) a temporary rule is effective immediately upon filing with the secretary of state or at a stated date following publication in the register; and

(ii) an emergency rule is effective at a stated date following publication in the register or immediately upon filing with the secretary of state if the agency finds that this effective date is necessary because of imminent peril to the public health, safety, or welfare. The agency's finding and a brief statement of reasons for the finding must be filed with the rule. The agency shall, in addition to the required publication in the register, take appropriate and extraordinary measures to make emergency rules known to each person who may be affected by them.

(c) if, following written administrative rule review committee notification to an agency under 2-4-305(9), the committee meets and under 2-4-406(1) objects to all or some portion of a proposed rule before the proposed rule is adopted, the proposed rule or portion of the proposed rule objected to is not effective until the day after final adjournment of the regular session of the legislature that begins after the notice proposing the rule was published by the secretary of state, unless, following the committee's objection under 2-4-406(1):

(i) the committee withdraws its objection under 2-4-406 before the proposed rule is adopted; or

(ii) the rule or portion of a rule objected to is adopted with changes that in the opinion of a majority of the committee members, as communicated in writing to

the committee presiding officer and staff, make it comply with the committee's objection and concerns.

(5) ~~An~~ *Subject to subsection (6), an* agency may not enforce, implement, or otherwise treat as effective a rule proposed or adopted by the agency until the effective date of the rule as provided in this section. Nothing in this subsection prohibits an agency from enforcing an established policy or practice of the agency that existed prior to the proposal or adoption of the rule as long as the policy or practice is within the scope of the agency's lawful authority.

(6) *For purposes of implementing and complying with the American Recovery and Reinvestment Act of 2009, Public Law 111-5, an agency may adopt and implement a rule retroactive to February 17, 2009, provided that the retroactive applicability date is clearly stated in the agency's proposed and adopted rule."*

Section 2. Section 7-7-2255, MCA, is amended to read:

"7-7-2255. Form and execution of bonds. (1) At the time of the sale of the bonds or at a meeting held after the sale, the board of county commissioners shall adopt a resolution providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization bonds or serial bonds, ~~and~~ providing the manner of execution of the bonds, *and if applicable, specifying whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46].*

(2) Each county bond and each coupon attached to the bond must be signed by or bear the facsimile signatures of the presiding officer of the board of county commissioners and the county treasurer and must be attested by the county clerk, provided that one signature of a county official or the bond registrar must be a manual signature. Each bond may have the county seal or its facsimile imprinted on the bond."

Section 3. Section 7-7-2501, MCA, is amended to read:

"7-7-2501. Authority to issue revenue bonds — refunding revenue bonds. (1) A county may issue county revenue bonds in the same manner and with the same effect as provided in chapter 7, part 44, of this title for issuance of municipal revenue bonds. County revenue bonds may be issued to finance any project or activity enumerated in chapter 16, part 21, of this title or in Title 75, chapter 10, part 1. Revenue from the project for which the bonds are issued is the only revenue upon which a lien under the provisions of 7-7-4431 may apply. A lien may not attach to other revenue or other property within the county.

(2) A county may refund revenue bonds issued under the authority provided in subsection (1) by the method provided in either part 45 or part 46 of chapter 7.

(3) In construing, for purposes of this section, the provisions of parts 44, 45, or 46 of chapter 7, "municipal" is considered to refer to the county and "governing body" is considered to refer to the board of county commissioners whenever the board of county commissioners is acting pursuant to subsection (1).

(4) *If applicable, the county shall specify whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46]."*

Section 4. Section 7-7-4255, MCA, is amended to read:

"7-7-4255. Form and execution of bonds. (1) At the time of the sale of the bonds or at a meeting held after the sale, the city or town council shall adopt a resolution providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization or serial bonds, ~~and providing the manner of execution of the bonds, and if applicable, specifying whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46].~~

(2) Each bond and each coupon attached to a bond must be signed by or bear the facsimile signatures of the mayor and the treasurer of the city or town and must be attested by the city or town clerk, provided that one signature of a city or town official or the bond registrar must be a manual signature. Each bond may have the city or town seal or its facsimile imprinted on the bond."

Section 5. Section 7-7-4421, MCA, is amended to read:

"7-7-4421. Authority to issue revenue bonds. (1) In addition to the powers ~~which that~~ it may now have, any municipality ~~shall have~~ has power under this part to:

(1)(a) issue its bonds to finance in whole or in part the cost of the acquisition, purchase, construction, reconstruction, improvement, betterment, or extension of any undertaking;

(2)(b) pledge to the punctual payment of ~~said the~~ bonds issued under this part or part 45 or this part and interest ~~thereon on the bonds~~ an amount of the ~~revenues revenue of such the~~ undertaking, (including improvements, betterments, or extensions ~~thereto~~ thereafter constructed or acquired), or of any part of ~~such the~~ undertaking sufficient to pay ~~said the~~ bonds and interest as ~~the same shall become they become~~ due, with ~~such an~~ amount consisting of all or any part or portion of ~~such the~~ revenue, and create and maintain reasonable reserves ~~therefor for the bonds~~.

(2) If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46]."

Section 6. Section 7-7-4501, MCA, is amended to read:

"7-7-4501. Authority to issue refunding revenue bonds. (1) In addition to the powers ~~which that~~ it now may have, any municipality ~~shall have~~ has the power under this part to refund bonds issued for any of the purposes listed in 7-7-4421(1)(a), whether issued under authority of part 45 or of any other applicable law.

(2) Refunding revenue bonds issued as authorized in this section ~~shall be~~ are governed by all of the provisions of part 44, except 7-7-4433 and 7-7-4434, as fully as bonds issued for the initial financing of any undertaking and by the further provisions of this part.

(3) Bonds may be issued to refund interest as well as principal actually due and payable if the ~~revenues revenue~~ pledged ~~therefor are~~ is not sufficient, but not to refund any bonds or interest due ~~which can that may be paid from revenues revenue then on hand.~~

Section 7. Section 7-12-2171, MCA, is amended to read:

"7-12-2171. Details relating to rural improvement district bonds and warrants. (1) (a) The bonds and warrants must be drawn against either the construction or maintenance fund created for the special improvement

district and must bear interest from the date of registration until called for redemption or paid in full. Bonds or warrants sold at a private, negotiated sale may bear interest at a rate varying periodically at the time or times and on the terms determined by the board of county commissioners. The terms determined by the board of county commissioners may include the establishment of a maximum rate of interest or the convertibility to a fixed rate of interest.

(b) Variable rate bonds may be sold at a private negotiated sale if the principal amount of the bonds is \$500,000 or less and the board of county commissioners obtains separate written opinions from underwriters of Montana rural improvement district bonds stating the bonds are not marketable through a competitive bond sale. Bonds sold in principal amounts below \$250,000 do not require a marketability opinion.

(c) The interest must be payable annually or semiannually, at the discretion of the board of county commissioners, on the dates that the board prescribes. The warrants or bonds must bear the signatures of the presiding officer of the board and the county clerk and may bear the corporate seal of the county. The warrants or bonds must be registered in the office of the county clerk and the county treasurer, and if interest coupons are attached to the warrants or bonds, the interest coupons must also be registered and must bear the signatures of the presiding officer of the board and the county clerk. The coupons may bear the facsimile signatures of the officers in the discretion of the board.

(2) The bonds must be in denominations of \$100 or fractions or multiples of \$100, may be issued in installments, and may extend over a period not to exceed 30 years. However, if federal loans are available for improvements, repayment may extend over a period not to exceed 40 years. For the purposes of this subsection, the term of a bond issue commences on July 1 of the fiscal year in which the county first levies to pay principal and interest on the bonds.

(3) If applicable, the board of county commissioners shall specify whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46]."

Section 8. Section 7-15-4290, MCA, is amended to read:

"7-15-4290. Use of property taxes and other revenue for payment of bonds. (1) (a) The tax increment derived from an urban renewal area may be pledged for the payment of revenue bonds issued for urban renewal projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay urban renewal costs described in 7-15-4288 and 7-15-4289.

(b) The tax increment derived from an industrial district may be pledged for the payment of revenue bonds issued for industrial infrastructure development projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay industrial district costs described in 7-15-4288 and 7-15-4289.

(c) The tax increment derived from a technology district may be pledged for the payment of revenue bonds issued for technology infrastructure development projects or of general obligation bonds, revenue bonds, or special assessment bonds issued to pay technology district costs described in 7-15-4288 and 7-15-4289.

(2) A municipality issuing bonds pursuant to subsection (1) may, by resolution of its governing body, enter into a covenant for the security of the bondholders, detailing the calculation and adjustment of the tax increment and the taxable value on which it is based and, after a public hearing, pledging or

appropriating other revenue of the municipality, except property taxes prohibited by subsection (3), to the payment of the bonds if collections of the tax increment are insufficient.

(3) Property taxes, except the tax increment derived from property within the area or district and tax collections used to pay for services provided to the municipality by a project, may not be applied to the payment of bonds issued pursuant to 7-15-4301 for which a tax increment has been pledged.

(4) *If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46].*

Section 9. Section 7-15-4301, MCA, is amended to read:

"7-15-4301. Authorization to issue urban renewal bonds, industrial infrastructure development bonds, aerospace transportation and technology infrastructure development bonds, technology infrastructure development bonds, and refunding bonds. (1) A municipality may:

(a) issue bonds from time to time, in its discretion, to finance the undertaking of any urban renewal project, industrial infrastructure development project, aerospace transportation and technology infrastructure development project, or technology infrastructure development project under part 42 and this part, including, without limiting the generality of projects, the payment of principal and interest upon any advances for surveys and plans for the projects; and

(b) issue refunding bonds for the payment or retirement of bonds previously issued by it.

(2) The bonds may not pledge the general credit of the municipality and must be made payable, as to both principal and interest, solely from the income, proceeds, revenue, and funds of the municipality derived from or held in connection with its undertaking and carrying out of urban renewal projects, industrial infrastructure development projects, aerospace transportation and technology infrastructure development projects, or technology infrastructure development projects under part 42 and this part, including the tax increment received and pledged by the municipality pursuant to 7-15-4282 through 7-15-4292, and, if the income, proceeds, revenue, and funds of the municipality are insufficient for the payment, from other revenue of the municipality pledged to the payment. Payment of the bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other source in aid of any urban renewal projects, industrial infrastructure development projects, aerospace transportation and technology infrastructure development projects, or technology infrastructure development projects of the municipality under part 42 and this part or by a mortgage on all or part of any projects.

(3) Bonds issued under this section must be authorized by resolution or ordinance of the local governing body.

(4) *If applicable, the governing body of the municipality shall specify whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46].*

Section 10. Section 7-15-4302, MCA, is amended to read:

"7-15-4302. Authorization to issue general obligation bonds. (1) For the purpose of 7-15-4267 or for the purpose of aiding in the planning, undertaking, or carrying out of an urban renewal project or an industrial infrastructure development project of a municipality, the municipality, in addition to any authority to issue bonds pursuant to 7-15-4301, may issue and sell its general obligation bonds.

(2) Any bonds issued pursuant to this section ~~shall~~ *must* be issued in the manner and within the limitations prescribed by the laws of this state for the issuance and authorization of bonds by ~~such~~ the municipality for public purposes generally.

(3) Aiding in the planning, undertaking, or carrying out of an approved urban renewal project or an industrial infrastructure development project is considered a single purpose for the issuance of general obligation bonds, and the proceeds of the bonds authorized for any ~~such~~ project may be used to finance the exercise of any and all powers conferred upon the municipality by ~~this part and part 42 which and this part that~~ are necessary or proper to complete the project in accordance with the approved plan or industrial district ordinance and any modification thereof of the plan duly adopted by the local governing body.

(4) *If applicable, the municipality shall specify whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46].*

Section 11. Section 15-66-102, MCA, is amended to read:

"15-66-102. (Temporary) Utilization fee for inpatient bed days. (1) Each hospital in the state shall pay to the department a utilization fee:

(a) ~~in the amount of \$27.70 for each inpatient bed day between January 1, 2006, and June 30, 2007;~~

(b) ~~in the amount of \$47 for each inpatient bed day between July 1, 2007, and December 31, 2007;~~

(c) ~~in the amount of \$43 for each inpatient bed day between January 1, 2008, and December 31, 2008;~~

(d)(a) in the amount of \$48 for each inpatient bed day between January 1, 2009, and December 31, 2009; and

(e)(b) beginning January 1, 2010, in the amount of \$50 for each inpatient bed day.

(2) ~~All~~ *Subject to subsection (3), all* proceeds from the collection of utilization fees, including penalties and interest, must, in accordance with the provisions of 17-2-124, be deposited to the credit of the department of public health and human services in a state special revenue account as provided in 53-6-149.

(3) *The following amounts must be deposited in the state general fund:*

(a) *for state fiscal year 2009, proceeds in excess of \$16,232,795;*

(b) *for state fiscal year 2010, proceeds in excess of \$18,505,269; and*

(c) *for state fiscal year 2011, proceeds in excess of \$19,818,193. (Void on occurrence of contingency—sec. 18, Ch. 390, L. 2003. Terminates June 30, 2009—secs. 5, 6, 8, Ch. 517, L. 2007.)*

Section 12. Section 17-1-106, MCA, is amended to read:

"17-1-106. Agency recovery of indirect costs. (1) An agency receiving nongeneral funds shall, in accordance with all applicable regulations,

guidelines, or grant rules governing those funds, negotiate indirect cost reimbursement amounts and methodologies so that the agency may recover indirect costs.

(2) *Except for funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, an agency, except for a unit of the university system, that applies for or otherwise receives funds through federal or private grants or contracts that do not allow the agency to fully recover indirect costs shall notify and must receive written approval from its approving authority prior to accepting the funds.*

(3) An agency, except for a unit of the university system, may not, as part of the grant or contract proposal or negotiation process, waive or otherwise forfeit the agency's ability to recover indirect costs that are otherwise allowable costs under the program, except for intra-agency or interagency grants or contracts. For grants or contracts for which the entity providing the funds limits administrative cost reimbursements or indirect cost recoveries by regulation, policy, or guideline, statewide and agency indirect costs paid originally from the general fund must be claimed first, other indirect costs must be claimed second, agency direct costs of administration must be claimed third, and program direct costs must be claimed last. For grants or contracts for which there is no limit on indirect costs or administrative costs, indirect and administrative costs must be claimed first and direct program costs must be claimed last.

(4) Each agency receiving federal funds and not directly charging a grant or program for the recovery of indirect costs shall submit an indirect cost proposal to the appropriate federal agency. The department shall provide technical assistance to an agency on how to build an indirect cost proposal.

(5) Except as provided for a unit of the university system under 20-25-427, indirect costs recovered by an agency to pay the agency's indirect costs under 17-1-105 must be deposited as provided in 17-1-105. All other indirect costs must be deposited in the fund from which the indirect costs were originally paid."

Section 13. Section 17-2-124, MCA, is amended to read:

"17-2-124. Disposition of money from certain designated license and other taxes. (1) The state treasurer shall deposit to the credit of the appropriate fund in accordance with the provisions of subsection (3) all money received from the collection of taxes and fees.

(2) The department of revenue shall deposit to the credit of the state general fund all money received from the collection of license taxes and all net revenue and receipts from all sources, other than certain fees, under Title 16, chapters 1 through 4 and 6.

(3) *Except for the utilization fee collected under 15-66-102 during fiscal year 2009, the distribution of tax and fee revenue must be made according to the provisions of the law governing allocation of the tax or fee that were in effect for the period in which the tax or fee revenue was recorded for accounting purposes. Tax revenue must be recorded as prescribed by the department of administration, pursuant to 17-1-102(2) and (4), in accordance with generally accepted accounting principles.*

(4) All refunds of taxes or fees must be attributed to the funds in which the taxes or fees are currently being recorded. All refunds of interest and penalties must be attributed to the funds in which the interest and penalties are currently being recorded."

Section 14. Section 17-5-504, MCA, is amended to read:

"17-5-504. Forms, interest, and maturity. *Such General obligation highway bonds shall must be issued by the board, upon request of the department of administration, in such the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with such provisions for conversion or exchange and for the issuance of notes in anticipation of the execution and delivery of definitive bonds, bearing interest, maturing at such times not exceeding 20 years from the date of issue, subject to redemption at such earlier times and prices and upon such notice, and payable at the office of such the fiscal agent of the state, as that the board shall determine, subject to the limitations contained herein in this part. If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 44]."*

Section 15. Section 17-5-803, MCA, is amended to read:

"17-5-803. Form — principal and interest — fiscal agent — bond registrar and transfer agent — deposit of proceeds. (1) Subject to the limitations contained in this part and in the bond act and in the furtherance of each bond act, bonds may be issued by the board upon request of the department. The bonds may be issued in the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with provisions for conversion or exchange, and for the issuance of temporary bonds bearing interest at a rate or rates, maturing at times not exceeding 30 years from date of issue, subject to redemption at earlier times and prices and on notice, and payable at the office of the fiscal agency of the state as the board determines.

(2) In all other respects, the board is authorized to prescribe the form and terms of the bonds and do whatever is lawful and necessary for their issuance and payment. Action taken by the board under this part must be by a majority vote of its members. The state treasurer shall keep a record of all bonds issued and sold.

(3) The board is authorized to employ a fiscal agent and a bond registrar and transfer agent to assist in the performance of its duties under this part.

(4) The board, in its discretion, is authorized to pay all costs of issuance of bonds, including without limitation rating agency fees, printing costs, legal fees, bank or trust company fees, costs to employ persons or firms to assist in the sale of the bonds, line of credit fees and charges, and all other amounts related to the costs of issuing the bonds from amounts available for these purposes in the general fund or from the proceeds of the bonds.

(5) All proceeds of bonds and notes issued under this part must be deposited in the capital projects account, except that any premiums and accrued interest received and the proceeds of refunding bonds or notes must be deposited in the debt service account.

(6) *If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 44]."*

Section 16. Section 17-5-922, MCA, is amended to read:

"17-5-922. Form — principal and interest — fiscal agent — bonds authorized. (1) Each series of bonds may be issued by the board at public or private sale, in such the denominations and form, whether payable to bearer or registered as to principal or both principal and interest, with such provisions for the conversion or exchange, bearing interest at such the rate or rates or the method of determining such the rate or rates, maturing at such times, not more than 40 years from date of issue, subject to redemption at such earlier times and

prices and upon such notice, and payable at the office of a fiscal agency of the state as that the board shall determine, subject to the limitations contained in this part. Any action taken by the board under this part must be approved by at least a majority vote of its members.

(2) In all other respects the board is authorized to prescribe the form and terms of the bonds and shall do whatever is lawful and necessary for their issuance and payment.

(3) Bonds and any interest coupons appurtenant thereto to the bonds must be signed by the members of the board, and the bonds must be issued under the great seal of the state of Montana. The bonds and coupons may be executed with facsimile signatures and seal in the manner and subject to the limitations prescribed by law. The state treasurer shall keep a record of all such bonds issued and sold.

(4) The board may employ a fiscal agent and a bond registrar and transfer agent to assist in the performance of its duties under this part.

(5) In connection with the issuance and sale of bonds, the board may arrange for lines of credit or letters of credit with any bank, firm, or person for the purpose of providing an additional source of repayment for bonds issued pursuant to this part. Amounts drawn on such lines of credit may be evidenced by negotiable or nonnegotiable notes or other evidences of indebtedness, containing such terms and conditions as that the board may authorize in the resolution approving the same notes or evidences of indebtedness.

(6) No Not more than \$150 million of bonds issued under this part may be outstanding at any time. No additional Additional bonds, other than refunding bonds, may not be issued until the pledge in favor of the highway revenue bonds is satisfied and discharged.

(7) If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 44].

Section 17. Section 17-5-1506, MCA, is amended to read:

"17-5-1506. Bonds and notes for projects and major projects. (1) The board may by resolution issue negotiable notes and bonds in a principal amount as that the board determines necessary to provide sufficient funds for achieving any of its purposes, including the payment of interest on notes and bonds of the board, establishment of reserves to secure the notes and bonds, including the reserve funds created under 17-5-1515, and all other expenditures of the board incident to and necessary or convenient to carry out this part.

(2) The board may by resolution, from time to time, issue notes to renew notes and bonds or to pay notes, including interest, and whenever it considers refunding expedient, refund any bonds by the issuance of new bonds, whether or not the bonds to be refunded have matured, or issue bonds partly to refund bonds outstanding and partly for any of its other purposes.

(3) Except as otherwise expressly provided by resolution of the board, every issue of its bonds is an obligation of the board payable out of any revenue, assets, or money of the board, subject only to agreements with the holders of particular notes or bonds pledging particular revenues revenue, assets, or money.

(4) The notes and bonds must be authorized by resolutions of the board, bear a date, and mature at the times the resolutions provide. A note may not mature more than 5 years from the date of its issue. A bond may not mature more than 40 years from the date of its issue. The bonds may be issued as serial bonds payable in annual installments, as term bonds, or as a combination thereof of

serial and term bonds. The notes and bonds must bear interest at a stated rate or rates or at a rate or rate determination as stated, be in denominations, be in a form, either coupon or registered, carry registration privileges, be executed in a manner, be payable in a medium of payment, at places inside or outside the state, and be subject to terms of redemption as provided in resolutions. The notes and bonds of the board may be sold at public or private sale, at prices above or below par, as determined by the board, and in a manner such that interest on the bonds is either exempt from or subject to federal income tax. If applicable, the board shall specify whether the bonds are tax credit bonds as provided in [section 44].

(5) The bonds issued under this part are exempt from the Montana Securities Act, but copies of all prospectus and disclosure documents must be deposited with the state securities commissioner for public inspection.

(6) The total amount of bonds secured under 17-5-1515 outstanding at any one time, except bonds as to which the board's obligations have been satisfied and discharged by refunding or bonds for which reserves for payment or other means of payment have been provided, may not exceed \$100 million."

Section 18. Section 17-7-102, MCA, is amended to read:

"17-7-102. (Temporary) Definitions. As used in this chapter, the following definitions apply:

(1) "Additional services" means different services or more of the same services.

(2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.

(3) "Approving authority" means:

(a) the governor or the governor's designated representative for executive branch agencies;

(b) the chief justice of the supreme court or the chief justice's designated representative for judicial branch agencies;

(c) the speaker for the house of representatives;

(d) the president for the senate;

(e) appropriate legislative committees or a designated representative for legislative branch agencies; or

(f) the board of regents of higher education or its designated representative for the university system.

(4) (a) "Base budget" means the resources for the operation of state government that are of an ongoing and nonextraordinary nature in the current biennium. The base budget for the state general fund and state special revenue funds may not exceed that level of funding authorized by the previous legislature. For the biennium beginning July 1, 2011, the term includes items specified in [section 85].

(b) The term does not include funding for water adjudication if the accountability benchmarks contained in 85-2-271 are not met.

(5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

(6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated circumstance that has occurred subsequent to the time that an agency's appropriation was made, that was clearly not within the contemplation of the legislature and the governor, and that affects one or more functions of a state agency and the agency's expenditure requirements for the performance of the function or functions.

(7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set forth in 17-8-101.

(8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next legislative session for legislative consideration.

(9) "New proposals" means requests to provide new nonmandated services, to change program services, to eliminate existing services, or to change sources of funding. For purposes of establishing the present law base, the distinction between new proposals and the adjustments to the base budget to develop the present law base is to be determined by the existence of constitutional or statutory requirements for the proposed expenditure. Any proposed increase or decrease that is not based on those requirements is considered a new proposal.

(10) "Present law base" means that level of funding needed under present law to maintain operations and services at the level authorized by the previous legislature, including but not limited to:

(a) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

(b) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

(c) inflationary or deflationary adjustments; and

(d) elimination of nonrecurring appropriations; and

(e) *items specified in [section 85].*

(11) "Program" means a principal organizational or budgetary unit within an agency.

(12) "Requesting agency" means the agency of state government that has requested a specific budget amendment.

(13) "University system unit" means the board of regents of higher education; office of the commissioner of higher education; university of Montana, with campuses at Missoula, Butte, Dillon, and Helena; Montana state university, with campuses at Bozeman, Billings, Havre, and Great Falls; the agricultural experiment station, with central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central offices at Butte; the fire services training school at Great Falls; and the community colleges at Miles City, Glendive, and Kalispell. (Terminates June 30, 2020—sec. 11, Ch. 319, L. 2007.)

17-7-102. (Effective July 1, 2020) Definitions. As used in this chapter, the following definitions apply:

(1) "Additional services" means different services or more of the same services.

(2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.

(3) "Approving authority" means:

(a) the governor or the governor's designated representative for executive branch agencies;

(b) the chief justice of the supreme court or the chief justice's designated representative for judicial branch agencies;

(c) the speaker for the house of representatives;

(d) the president for the senate;

(e) appropriate legislative committees or a designated representative for legislative branch agencies; or

(f) the board of regents of higher education or its designated representative for the university system.

(4) "Base budget" means the resources for the operation of state government that are of an ongoing and nonextraordinary nature in the current biennium. The base budget for the state general fund and state special revenue funds may not exceed that level of funding authorized by the previous legislature.

(5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

(6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated circumstance that has occurred subsequent to the time that an agency's appropriation was made, that was clearly not within the contemplation of the legislature and the governor, and that affects one or more functions of a state agency and the agency's expenditure requirements for the performance of the function or functions.

(7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set forth in 17-8-101.

(8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next legislative session for legislative consideration.

(9) "New proposals" means requests to provide new nonmandated services, to change program services, to eliminate existing services, or to change sources of funding. For purposes of establishing the present law base, the distinction between new proposals and the adjustments to the base budget to develop the present law base is to be determined by the existence of constitutional or statutory requirements for the proposed expenditure. Any proposed increase or decrease that is not based on those requirements is considered a new proposal.

(10) "Present law base" means that level of funding needed under present law to maintain operations and services at the level authorized by the previous legislature, including but not limited to:

(a) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;

(b) changes in funding requirements resulting from constitutional or statutory schedules or formulas;

(c) inflationary or deflationary adjustments; and

(d) elimination of nonrecurring appropriations.

(11) "Program" means a principal organizational or budgetary unit within an agency.

(12) "Requesting agency" means the agency of state government that has requested a specific budget amendment.

(13) "University system unit" means the board of regents of higher education; office of the commissioner of higher education; university of Montana, with campuses at Missoula, Butte, Dillon, and Helena; Montana state university, with campuses at Bozeman, Billings, Havre, and Great Falls; the agricultural experiment station, with central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central offices at Butte; the fire services training school at Great Falls; and the community colleges at Miles City, Glendive, and Kalispell."

Section 19. Section 17-7-402, MCA, is amended to read:

"17-7-402. Budget amendment requirements. (1) Except as provided in subsection (7), a budget amendment may not be approved:

(a) by the approving authority, except a budget amendment to spend:

(i) additional federal revenue, *including grant funds or other funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5;*

(ii) additional tuition collected by the Montana university system;

(iii) additional revenue deposited in the internal service funds within the department or the office of the commissioner of higher education as a result of increased service demands by state agencies;

(iv) Montana historical society enterprise revenue resulting from sales to the public;

(v) additional revenue that is deposited in funds other than the general fund and that is from the sale of fuel for those agencies participating in the Montana public vehicle fueling program established by Executive Order 22-91;

(vi) revenue resulting from the sale of goods produced or manufactured by the industries program of an institution within the department of corrections;

(vii) revenue collected for the administration of the state grain laboratory under the provisions of Title 80, chapter 4, part 7;

(viii) revenue collected for the Water Pollution Control State Revolving Fund Act under the provisions of Title 75, chapter 5, part 11;

(ix) revenue collected for the Drinking Water State Revolving Fund Act under the provisions of Title 75, chapter 6, part 2;

(x) state special revenue adjustments required to allocate costs for leave or terminal leave within an agency in accordance with federal circular A-87; or

(xi) revenue generated from fees collected by the department of justice for dissemination of criminal history record information pursuant to Title 44, chapter 5, part 3;

(b) by the approving authority if the budget amendment contains any significant ascertainable commitment for any present or future increased general fund support;

(c) by the approving authority for the expenditure of money in the state special revenue fund unless:

(i) an emergency justifies the expenditure;

(ii) the expenditure is authorized under subsection (1)(a); or

(iii) the expenditure is exempt under subsection (5);

(d) by the approving authority unless it will provide additional services;

(e) by the approving authority for any matter, *other than the receipt of federal funds pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, that are not allocated or appropriated in House Bill No. 645,* of which the requesting agency had knowledge at a time when the proposal could have been presented to an appropriation subcommittee, the house appropriations committee, or the senate finance and claims committee of the most recent legislative session open to that matter, except when the legislative finance committee is given specific notice by the approving authority that significant identifiable events, specific to Montana and pursuant to provisions or requirements of Montana state law, have occurred since the matter was raised with or presented for consideration by the legislature; or

(f) to extend beyond June 30 of the last year of any biennium, except that budget amendments for federal funds may extend to the end of the federal fiscal year.

(2) A general fund loan made pursuant to 17-2-107 does not constitute a significant ascertainable commitment of present general fund support.

(3) Subject to subsection (1)(f), all budget amendments must itemize planned expenditures by fiscal year.

(4) Each budget amendment must be submitted by the approving authority to the budget director and the legislative fiscal analyst.

(5) Money from nonstate or nonfederal sources that would be deposited in the state special revenue fund and that is restricted by law or by the terms of a written agreement, such as a contract, trust agreement, or donation, is exempt from the requirements of this part.

(6) An appropriation for a nonrecurring item that would usually be the subject of a budget amendment must be submitted to the legislature for approval during a legislative session between January 1 and the senate hearing on the budget amendment bill. The bill may include authority to spend money in the current fiscal year and in both fiscal years of the next biennium.

(7) A budget amendment to spend state funds, other than from the general fund, required for matching funds in order to receive a grant is exempt from the provisions of subsection (1)."

Section 20. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations — definition — requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110;

15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; [section 53]; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; and pursuant to sec. 6, Ch. 2, Sp. L. September 2007, the inclusion of 76-13-150 terminates June 30, 2009.)

Section 21. Section 20-9-403, MCA, is amended to read:

"20-9-403. Bond issues for certain purposes. (1) The trustees of a school district may issue and negotiate general obligation bonds or impact aid bonds of the school district for the purpose of:

(a) building, altering, repairing, buying, furnishing, equipping, purchasing lands for, or obtaining a water supply for a school, teacherage, dormitory, gymnasium, other building, or combination of buildings for school purposes;

(b) buying a school bus or buses;

(c) providing the necessary money to redeem matured bonds, maturing bonds, or coupons appurtenant to bonds when there is not sufficient money to redeem them;

(d) providing the necessary money to redeem optional or redeemable bonds when it is for the best interest of the school district to issue refunding bonds;

(e) funding a judgment against the district, including the repayment of tax protests lost by the district; or

(f) funding a debt service reserve account that may be required for impact aid revenue bonds.

(2) Money realized from the sale of bonds issued on the credit of a high school district may not be used for any of the purposes listed in subsection (1) in an elementary school district, and the money may be used for any of the purposes listed in subsection (1) for a junior high school but only to the extent that the 9th grade of the high school is served.

(3) If applicable, the trustees shall specify whether the bonds are qualified school construction bonds as described in [section 43(1)] or tax credit bonds as provided in [section 44]."

Section 22. Section 20-9-433, MCA, is amended to read:

"20-9-433. Form and execution of school district bonds. (1) At the time of the sale of the bonds or at a meeting held after the sale, the trustees shall adopt a resolution or indenture of trust providing for the issuance of the bonds, prescribing the form of the bonds, whether amortization or serial bonds, and prescribing the manner of execution of the bonds. *If applicable, the trustees shall specify whether the bonds are qualified school construction bonds as described in [section 43(1)] or tax credit bonds as provided in [section 44].*

(2) Each bond and coupon attached to a bond must be signed by or bear the facsimile signatures of the presiding officer of the trustees and the school district clerk, provided that one signature of a school official or the bond registrar must be a manual signature."

Section 23. Section 20-9-501, MCA, is amended to read:

"20-9-501. Retirement costs and retirement fund. (1) The trustees of a district or the management board of a cooperative employing personnel who are members of the teachers' retirement system or the public employees' retirement system, who are covered by unemployment insurance, or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the employer's contributions to the systems as provided in subsection (2)(a). The district's or the cooperative's contribution for each employee who is a member of the teachers' retirement system must be calculated in accordance with Title 19, chapter 20, part 6. The district's or the cooperative's contribution for each employee who is a member of the public employees' retirement system must be calculated in accordance with 19-3-316. The district's or the cooperative's contributions for each employee covered by any federal social security system must be paid in accordance with federal law and regulation. The district's or the cooperative's contribution for each employee who is covered by unemployment insurance must be paid in accordance with Title 39, chapter 51, part 11.

(2) (a) The district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the retirement fund for the following:

(i) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from state or local funding sources;

(ii) a cooperative employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the cooperative's interlocal cooperative fund if the fund is supported solely from districts' general funds and state special education allowable cost payments, pursuant to 20-9-321, or are paid from the miscellaneous programs fund, provided for in 20-9-507, from money received from the medicaid program, pursuant to 53-6-101;

(iii) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the district's school food services fund provided for in 20-10-204; and

(iv) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the district impact aid fund, pursuant to 20-9-514; and

(v) for the 2011 biennium only, a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are budgeted in the district general fund but are paid from state fiscal stabilization funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(b) For an employee whose benefits are not paid from the retirement fund, the district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the funding source that pays the employee's salary.

(3) The trustees of a district required to make a contribution to a system referred to in subsection (1) shall include in the retirement fund of the final budget the estimated amount of the employer's contribution. After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to the systems in accordance with the financial administration provisions of this title.

(4) When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:

(a) determining the sum of the money available to reduce the retirement fund levy requirement by adding:

(i) any anticipated money that may be realized in the retirement fund during the ensuing school fiscal year;

(ii) oil and natural gas production taxes;

(iii) coal gross proceeds taxes under 15-23-703;

(iv) countywide school retirement block grants distributed under 20-9-631;

(v) any fund balance available for reappropriation as determined by subtracting the amount of the end-of-the-year fund balance earmarked as the retirement fund operating reserve for the ensuing school fiscal year by the trustees from the end-of-the-year fund balance in the retirement fund. The retirement fund operating reserve may not be more than 35% of the final retirement fund budget for the ensuing school fiscal year and must be used for the purpose of paying retirement fund warrants issued by the district under the final retirement fund budget.

(vi) any other revenue anticipated that may be realized in the retirement fund during the ensuing school fiscal year, excluding any guaranteed tax base aid.

(b) notwithstanding the provisions of subsection (9), subtracting the money available for reduction of the levy requirement, as determined in subsection (4)(a), from the budgeted amount for expenditures in the final retirement fund budget.

(5) The county superintendent shall:

(a) total the net retirement fund levy requirements separately for all elementary school districts, all high school districts, and all community college districts of the county, including any prorated joint district or special education cooperative agreement levy requirements; and

(b) report each levy requirement to the county commissioners on the fourth Monday of August as the respective county levy requirements for elementary district, high school district, and community college district retirement funds.

(6) The county commissioners shall fix and set the county levy or district levy in accordance with 20-9-142.

(7) The net retirement fund levy requirement for a joint elementary district or a joint high school district must be prorated to each county in which a part of the district is located in the same proportion as the district ANB of the joint district is distributed by pupil residence in each county. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county as provided in 20-9-151.

(8) The net retirement fund levy requirement for districts that are members of special education cooperative agreements must be prorated to each county in which the district is located in the same proportion as the special education cooperative budget is prorated to the member school districts. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county in the same manner as provided in 20-9-151, and the county commissioners shall fix and levy the net retirement fund levy for each county in the same manner as provided in 20-9-152.

(9) The county superintendent shall calculate the number of mills to be levied on the taxable property in the county to finance the retirement fund net levy requirement by dividing the amount determined in subsection (5)(a) by the sum of:

(a) the amount of guaranteed tax base aid that the county will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the taxable valuation of the district divided by 1,000.

(10) The levy for a community college district may be applied only to property within the district.

(11) The county superintendent of each county shall submit a report of the revenue amounts used to establish the levy requirements for county school funds supporting elementary and high school district retirement obligations to the superintendent of public instruction not later than the second Monday in September. The report must be completed on forms supplied by the superintendent of public instruction."

Section 24. Permissive levy. If an appropriation for a 3% increase in the basic entitlement and per-ANB entitlement in each fiscal year is contained in [section 85], then a school district may impose a permissive levy, calculated in accordance with 20-9-141, to fund the local share of the BASE budget.

Section 25. Over-BASE budget levy. If an appropriation for a 3% increase in the basic entitlement and per-ANB entitlement in each fiscal year is contained in [section 85], then a district may impose an over-BASE budget levy, calculated in accordance with 20-9-141, to fund the over-BASE budget. Districts shall comply with voting requirements as provided in 20-9-353.

Section 26. Section 20-25-402, MCA, is amended to read:

"20-25-402. Borrowing by regents. (1) In carrying out the powers provided in 20-25-107, 20-25-301, and 20-25-302, the regents may:

(1)(a) borrow money for any purpose or purposes stated in parts 3 and 4 of this chapter, including, if considered desirable by the regents, the payment of interest on the money borrowed for a facility during the construction thereof of the facility and for 1 year thereafter after construction and the creation of a reserve for the payment of bond principal and interest;

(2)(b) make purchases on a time or installment basis;

(3)(c) issue bonds, notes, and other securities, negotiable or otherwise, secured as provided in this section, including bearer bonds with appurtenant interest coupons, which ~~shall must~~ be fully negotiable notwithstanding any limitation on the source of payment ~~thereof of the bonds, notes, or securities~~, or fully registered bonds or bonds registered as to ownership of principal only;

(4)(d) pledge for the payment of the purchase price of any facility or of the principal and interest on bonds, notes, or other securities authorized in this chapter or otherwise obligate:

(a)(i) the net income received from rents, board, or both in housing, food service, and other facilities;

(b)(ii) receipts from student building, activity, union, and other special fees prescribed by the regents for all students; and

(e)(iii) (A) other income in the form of gifts, bequests, contributions, or federal grants of funds, including the proceeds or income from grants of lands or other real or personal property;

(B) receipts from athletic and other contests, exhibitions, and performances; and

(C) collections of admissions and other charges for the use of facilities, including all use by other persons, firms, and corporations for athletic and other contests, exhibitions, and performances and for the conduct of their business, educational, or governmental functions;

(5)(e) make payments on loans or purchases from any other available income not obligated for those purposes, including receipts from sale of materials, equipment, and fixtures of the facilities or from sales of the facilities themselves, other than land;

(6)(f) secure any bonds authorized ~~hereunder under this section~~ by a trust indenture between the regents and any bank or trust company within or ~~without outside of~~ the state of Montana or by a resolution establishing covenants of the regents with the holders of ~~such the~~ bonds relating to:

(a)(i) the construction, operation, use, and insurance of the facilities;

(b)(ii) the segregation, expenditure, and audit of accounts of the bond proceeds and of the income pledged;

(e)(iii) the establishment and collection of rents, charges, admissions, and fees sufficient to provide net income adequate for prompt payment of principal and interest on bonds and creation and maintenance of reserves for that purpose; and

(d)(iv) ~~such other matters as that~~ the regents may determine to be necessary or desirable for the security and marketability of the bonds;

(7)(g) ~~subject to the following provisions~~, issue and sell or exchange bonds, secured as provided in this section, for the refunding of any outstanding bonds or other obligations issued by the regents ~~before or after January 29, 1971~~, ~~subject to the following provisions~~:

(a)(i) refunding bonds may, with the consent of the holders of the bonds to be refunded ~~thereby~~, be exchanged at par plus accrued interest for all or part of ~~such the~~ bonds or may be sold at a price not less than par plus accrued interest. They may be secured by a pledge of the same revenue as the bonds refunded or by a pledge of different or additional revenues received at the same unit of the university. ~~Nothing herein shall~~ This subsection (1)(g) may not require the holder of any outstanding bond to accept payment ~~thereof of the bond~~ or the

delivery of a refunding bond in exchange ~~therefor for the bond~~, except in accordance with the terms of the outstanding bond. Bonds may be issued to refund interest as well as principal actually due and payable if the ~~revenues~~ revenue pledged ~~therefor for the bonds~~ are not sufficient, but not to refund any bonds or interest due ~~which that~~ can be paid from ~~revenues revenue~~ then on hand.

(b)(ii) refunding bonds may bear interest at a rate lower or higher than the bonds refunded ~~thereby by the refunding bonds~~ if they are issued to refund matured principal or interest for the payment of which ~~revenues revenue~~ on hand ~~are is not sufficient or if they are issued to refund before maturity bonds issued before January 1, 1965~~, for the purpose of releasing ~~revenues revenue~~ required for payment of the outstanding bonds permitting the pledge ~~thereof of the revenue~~ for the security of other bonds as well as the refunding bonds, subject to the rights of the holders of the outstanding bonds until those bonds are fully paid and redeemed. Except as authorized in the preceding sentence, refunding bonds ~~shall may~~ not be issued unless their average annual interest rate, computed to their stated maturity dates and excluding any premium from ~~such the~~ computation, is at least 3/8 of 1% less than the average annual interest rate on the bonds refunded ~~thereby~~, computed to their respective stated maturity dates.

(e)(iii) in any case ~~where in which~~ refunding bonds are issued and sold 6 months or more before the earliest date on which all bonds refunded ~~thereby by the refunding bonds~~ mature or are prepayable in accordance with their terms, the proceeds of the refunding bonds, including any premium and accrued interest, ~~shall must~~ be deposited in escrow with a suitable bank or trust company having its principal place of business within or ~~without outside of~~ the state, which is a member of the federal reserve system and has a combined capital and surplus of not less than \$1 million, and ~~shall must~~ be invested in the amount and in securities maturing on the dates and bearing interest at the rates ~~which that~~ will be required to provide funds sufficient to pay when due the interest to accrue on each bond refunded to its maturity or, if it is prepayable, to the earliest prior date upon which the bond may be called for redemption from the proceeds of the refunding bonds and to pay and redeem the principal amount of each bond at maturity or, if prepayable, on that redemption date and any premium required for redemption on that date. The resolution or indenture authorizing the refunding bonds ~~shall must~~ irrevocably appropriate for these purposes the escrow fund and all income ~~therefrom from the escrow fund~~ and ~~shall must~~ provide for the call of all prepayable bonds in accordance with their terms. The securities to be purchased with ~~such the~~ escrow funds ~~shall must~~ be limited to general obligations of the United States, securities ~~whose for which~~ principal and interest payments are guaranteed by the United States, and securities issued by the following United States government agencies, ~~including only~~ banks for cooperatives, federal home loan banks, federal intermediate credit banks, federal land banks, and the federal national mortgage association. The securities ~~shall must~~ be purchased simultaneously with the delivery of the refunding bonds.

(d)(iv) ~~revenues revenue~~ or other funds on hand; in excess of the amount pledged by resolutions or indentures authorizing outstanding bonds for the payment of principal and interest currently due ~~thereon on the outstanding bonds~~ and reserves securing ~~such the~~ payment; may be used to pay the expenses incurred by the regents for the purpose of refunding, including but without limitation the cost of advertising and printing refunding bonds, legal and

financial advice and assistance in connection ~~therewith~~ *with refunding the bonds, and the reasonable and customary charges of escrow agents and paying agents. Revenues Revenue* and other funds on hand, including reserves pledged for the payment and security of outstanding revenue bonds, may be deposited in an escrow fund created for the retirement of those bonds and may be invested and disbursed as provided in subsection (7)(c) ~~hereof~~ *(1)(g)(iii)* to the extent consistent with the resolutions or indentures authorizing ~~such~~ *the* outstanding bonds.

(8)(h) sell bonds and sell or exchange refunding bonds issued ~~hereunder~~ *under this section* in the manner and upon the terms as to maturities, interest rates, and redemption privileges and for the price that the regents determine with the approval of the department of administration.

(2) *If applicable, the regents shall specify whether the bonds issued under this section are tax credit bonds as provided in [section 44].*

Section 27. Section 20-25-427, MCA, is amended to read:

"20-25-427. Allocation of indirect cost reimbursements. Any Subject to the conditions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5, any reimbursement for indirect costs associated with a grant to or contract with the Montana university system or any of its units is allocated to the designated subfund of the current fund, as provided in 17-2-102, for distribution to the unit receiving the grant or under the contract."

Section 28. Section 39-51-201, MCA, is amended to read:

"39-51-201. General definitions. As used in this chapter, unless the context clearly requires otherwise, the following definitions apply:

(1) "Annual payroll" means the total amount of wages paid by an employer, regardless of the time of payment, for employment during a calendar year.

(2) "Base period" means:

(a) the first 4 of the last 5 completed calendar quarters immediately preceding the first day of an individual's benefit year;

(b) *if the individual does not have sufficient wages to qualify for benefits under subsection (2)(a), the 4 most recently completed calendar quarters immediately preceding the first day of the individual's benefit year;*

(c) ~~However,~~ *in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the base period is the period applicable under the unemployment law of the paying state;* or

(d) ~~For~~ *for an individual who fails to meet the qualifications of 39-51-2105 or a similar statute of another state because of a temporary total disability, as defined in 39-71-116, or a similar statute of another state or the United States, the base period means the first 4 quarters of the last 5 completed calendar quarters preceding the disability if a claim for unemployment benefits is filed within 24 months of the date on which the individual's disability was incurred.*

(3) "Benefit year", with respect to any individual, means the 52-consecutive-week period beginning with the first day of the calendar week in which the individual files a valid claim for benefits, except that the benefit year is 53 weeks if filing a new valid claim would result in overlapping any quarter of the base year of a previously filed new claim. A subsequent benefit year may not be established until the expiration of the current benefit year. However, in the case of a combined-wage claim pursuant to the arrangement approved by the

secretary of labor of the United States, the base period is the period applicable under the unemployment law of the paying state.

(4) "Benefits" means the money payments payable to an individual, as provided in this chapter, with respect to the individual's unemployment.

(5) "Board" means the board of labor appeals provided for in Title 2, chapter 15, part 17.

(6) "Calendar quarter" means the period of 3 consecutive calendar months ending on March 31, June 30, September 30, or December 31.

(7) "Contributions" means the money payments to the state unemployment insurance fund required by this chapter but does not include assessments under 39-51-404.

(8) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part 17.

(9) (a) "Domestic or household service" means employment of persons other than members of the household for the purpose of tending to the aid and comfort of the employer or members of the employer's family, including but not limited to housecleaning and yard work.

(b) The term does not include employment beyond the scope of normal household or domestic duties, such as home health care or domiciliary care.

(10) "Employing unit" means any individual or organization, including the state government and any of its political subdivisions or instrumentalities or an Indian tribe or tribal unit, partnership, association, trust, estate, joint-stock company, insurance company, limited liability company or limited liability partnership that has filed with the secretary of state, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or the trustee's successor, or legal representative of a deceased person in whose employ one or more individuals perform or performed services within this state, except as provided under 39-51-204(1)(a) and (1)(q). All individuals performing services within this state for any employing unit that maintains two or more separate establishments within this state are considered to be employed by a single employing unit for all the purposes of this chapter. Each individual employed to perform or assist in performing the work of any agent or employee of an employing unit is considered to be employed by the employing unit for the purposes of this chapter, whether the individual was hired or paid directly by the employing unit or by the agent or employee, provided that the employing unit has actual or constructive knowledge of the work.

(11) "Employment office" means a free public employment office or branch of an office operated by this state or maintained as a part of a state-controlled system of public employment offices or other free public employment offices operated and maintained by the United States government or its instrumentalities as the department may approve.

(12) "Fund" means the unemployment insurance fund established by this chapter to which all contributions and payments in lieu of contributions must be paid and from which all benefits provided under this chapter must be paid.

(13) "Gross misconduct" means a criminal act, other than a violation of a motor vehicle traffic law, for which an individual has been convicted in a criminal court or has admitted or conduct that demonstrates a flagrant and wanton disregard of and for the rights, title, or interest of a fellow employee or the employer.

(14) "Hospital" means an institution that has been licensed, certified, or approved by the state as a hospital.

(15) "Independent contractor" means an individual working under an independent contractor exemption certificate provided for in 39-71-417.

(16) "Indian tribe" means an Indian tribe as defined in the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450b(e).

(17) (a) "Institution of higher education", for the purposes of this part, means an educational institution that:

(i) admits as regular students only individuals having a certificate of graduation from a high school or the recognized equivalent of a certificate;

(ii) is legally authorized in this state to provide a program of education beyond high school;

(iii) provides an educational program for which the institution awards a bachelor's or higher degree or provides a program that is acceptable for full credit toward a bachelor's or higher degree, a program of postgraduate or postdoctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and

(iv) is a public or other nonprofit institution.

(b) All universities in this state are institutions of higher education for purposes of this part.

(18) "Licensed and practicing health care provider" means a health care provider who is primarily responsible for the treatment of a person seeking unemployment insurance benefits and who is:

(a) licensed to practice in this state as:

(i) a physician under Title 37, chapter 3;

(ii) a dentist under Title 37, chapter 4;

(iii) an advanced practice registered nurse under Title 37, chapter 8, and recognized as a nurse practitioner or certified nurse specialist by the board of nursing, established in 2-15-1734;

(iv) a physical therapist under Title 37, chapter 11;

(v) a chiropractor under Title 37, chapter 12;

(vi) a clinical psychologist under Title 37, chapter 17; or

(vii) a physician assistant under Title 37, chapter 20; or

(b) with respect to a person seeking unemployment insurance benefits who resides outside of this state, a health care provider licensed or certified as a member of one of the professions listed in subsection (18)(a) in the jurisdiction where the person seeking the benefit lives.

(19) "No-additional-cost service" has the meaning provided in section 132 of the Internal Revenue Code, 26 U.S.C. 132.

(20) "State" includes, in addition to the states of the United States of America, the District of Columbia, Puerto Rico, the Virgin Islands, and Canada.

(21) "Taxes" means contributions and assessments required under this chapter but does not include penalties or interest for past-due or unpaid contributions or assessments.

(22) "Tribal unit" means an Indian tribe and any tribal subdivision or subsidiary or any business enterprise that is wholly owned by that tribe.

(23) "Unemployment insurance administration fund" means the unemployment insurance administration fund established by this chapter from which administrative expenses under this chapter must be paid.

(24) (a) "Wages", unless specifically exempted under subsection (24)(b), means all remuneration payable for personal services, including the cash value of all remuneration paid in any medium other than cash. The reasonable cash value of remuneration payable in any medium other than cash must be estimated and determined pursuant to rules prescribed by the department. The term includes but is not limited to:

(i) commissions, bonuses, and remuneration paid for overtime work, holidays, vacations, and sickness periods;

(ii) severance or continuation pay, backpay, and any similar pay made for or in regard to previous service by the employee for the employer, other than retirement or pension benefits from a qualified plan; and

(iii) tips or other gratuities received by the employee, to the extent that the tips or gratuities are documented by the employee to the employer for tax purposes.

(b) The term does not include:

(i) the amount of any payment made by the employer for employees, if the payment was made for:

(A) retirement or pension pursuant to a qualified plan as defined under the provisions of the Internal Revenue Code;

(B) sickness or accident disability under a workers' compensation policy;

(C) medical or hospitalization expenses in connection with sickness or accident disability, including health insurance for the employee or the employee's immediate family; or

(D) death, including life insurance for the employee or the employee's immediate family;

(ii) employee expense reimbursements or allowances for meals, lodging, travel, subsistence, or other expenses, as set forth in department rules;

(iii) a no-additional-cost service; or

(iv) wage subsidies received pursuant to the alternative trade adjustment assistance for older workers program, 19 U.S.C. 2318.

(25) "Week" means a period of 7 consecutive calendar days ending at midnight on Saturday.

(26) "Weekly benefit amount" means the amount of benefits that an individual would be entitled to receive for 1 week of total unemployment."

Section 29. Part-time work search — eligibility for benefits. (1) Except as provided in subsection (2), an individual may not be denied regular unemployment compensation benefits solely because the individual is seeking only part-time work, as that term is defined in rules adopted by the department.

(2) In order to be qualified for benefits under subsection (1), the majority of the individual's workweeks in the base period must have been part-time.

Section 30. Participation in worker training program — eligibility for training benefits. (1) Subject to the requirements of this section, training benefits are available to an individual who has exhausted all rights to regular unemployment compensation benefits and who is attending an approved worker training program.

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(2) An unemployed individual who is participating and making satisfactory progress in a state-approved training program or a job training program authorized by the Workforce Investment Act of 1998 that is necessary for the individual's reemployment is eligible to receive training benefits if, as determined by the department:

- (a) the individual was:
 - (i) separated from a declining occupation; or
 - (ii) involuntarily and indefinitely separated from employment as a result of a permanent reduction of operations at the individual's place of employment;
 - (b) the training enhances the individual's marketable skills and earning power; and
 - (c) the training is targeted to those industries or skills that are in demand within the labor market.
- (3) Benefits must be paid under this section at the individual's average weekly benefit amount during the applicable benefit year and under the same terms and conditions as regular benefits.
- (4) Benefits are payable under this section only for weeks during which the individual is attending an approved training program.
- (5) An employer's account may not be charged for payment of benefits to an individual under this section.

Section 31. Section 52-3-115, MCA, is amended to read:

"52-3-115. Older Montanans trust fund. (1) There is an older Montanans trust fund within the permanent fund type. The trust fund is subject to legislative appropriation as provided in this section.

(2) (a) The money in the fund may be used to create new, innovative services or to expand existing services for the benefit of Montana residents 60 years of age or older that will enable those Montanans to live an independent lifestyle in the least restrictive setting and will promote the dignity of and respect for those Montanans. The interest and income produced by the trust fund and appropriated to the department by the legislature is intended to increase services referred to in this subsection and not to supplant other sources of revenue for those programs in the trended traditional level, ~~as used in 53-6-1201~~, of appropriations for those services.

(b) *As used in subsection (2)(a), the phrase "trended traditional level of appropriations" means the appropriation amounts, including supplemental appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.*

(3) The department may accept contributions and gifts for the trust fund in money or other forms, and when accepted, the contributions and gifts must be deposited in the trust fund.

(4) Interest and income earned on money in the trust fund must be retained within the fund except as provided in this section: Until the year 2015, if assets in the fund reach the following amounts, money may be appropriated by the legislature and used in the following amounts for the programs specified in subsection (2):

- (a) When the fund balance reaches \$20 million, 50% of the interest earned may be appropriated.
- (b) When the fund balance reaches \$50 million, 60% of the interest earned may be appropriated.

(c) When the fund balance reaches \$100 million, 80% of the interest earned may be appropriated.

(5) On and after January 1, 2015, 90% of the interest earned on the trust fund may be appropriated for the programs specified in subsection (2).

(6) The department shall provide to the legislature a biennial report of the expenditures of the money appropriated from the older Montanans trust fund as provided in 5-11-210."

Section 32. Section 53-4-212, MCA, is amended to read:

"53-4-212. Department to make rules. (1) The department shall make rules and take action as necessary or desirable for the administration of public assistance programs.

(2) *The Subject to subsection (3), the department shall adopt rules that may include but are not limited to rules concerning:*

- (a) eligibility requirements, including gross and net income limitations, resource limitations, and income and resource exclusions;
- (b) amounts of assistance, methods for computing benefit amounts, and the length of time for which benefits may be granted;
- (c) the degree of kinship required for a person to qualify as a specified caretaker relative in order to be eligible for assistance;
- (d) procedures and policies for employment and training programs, requirements for participation in employment and training programs, and exemptions, if any, from participation requirements;
- (e) requirements for specified caretaker relatives, including cooperation with assessments, the number of hours of participation required for each month, specific activities required to address employment barriers, and other terms of performance;
- (f) eligibility for and terms and conditions of child-care assistance for financial assistance recipients, including maximum amounts of assistance payable and amounts of copayments required by specified caretaker relatives;
- (g) eligibility criteria and participation requirements for nonfinancial assistance recipients;
- (h) terms of ineligibility or sanctions against a specified caretaker relative or other family member who fails to enter into a family investment agreement, as provided for in 53-4-606, or to comply with the individual's obligations under the agreement, including the length of the period of ineligibility, if any;
- (i) requirements, if any, for participation in the employment and training demonstration project;
- (j) eligibility for and terms and conditions of extended medical assistance benefits;
- (k) reporting requirements;
- (l) sanctions, disqualification, or other penalties for failure or refusal to comply with the rules or requirements of a public assistance program;
- (m) exemptions from the 60-month limitation on assistance provided in 53-4-231 based on hardship or for families that include an individual who has been battered or subjected to extreme cruelty, as defined in section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. 608, including but not limited to the duration of the exemption;

- (n) individuals who must be included as members of an assistance unit;
- (o) categories of aliens who may receive assistance, if any;
- (p) requirements relating to the assignment of child and medical support rights and cooperation in establishing paternity and obtaining child and medical support;
- (q) requirements for eligibility and other terms and conditions of other programs to strengthen and preserve families;
- (r) special eligibility or participation requirements applicable to teenage parents, if any;
- (s) conditions under which assistance may be continued when an adult or a dependent child is temporarily absent from the home and the length of time for which assistance may be continued;
- (t) any random drug testing or reporting requirements for persons who are required to comply with the conditions provided under 53-4-231(3) and graduated sanctions that may include terms of ineligibility for violations of conditions of supervision or treatment requirements. The department may enter into agreements with the department of corrections regarding testing and reporting on offenders under the supervision of the department of corrections.

(u) approved educational programs, appropriate educational courses of study, employee assessment instruments, and administration of the Montana parents as scholars program provided for in 53-4-209.

(3) *The department shall raise the eligibility standard for individuals receiving cash assistance benefits from the federal TANF block grant from at or below 30% of the 2002 federal poverty level to at or below 30% of the 2009 federal poverty level for the period from July 1, 2009, through September 30, 2010. Beginning October 1, 2010, the department shall reduce the eligibility standard to 30% of the 2006 federal poverty level. If the TANF caseload increases to a point that expenditures jeopardize the TANF block grant, the department, after consultation with the legislative finance committee, may lower the eligibility standard as provided in subsection (2).*

Section 33. Section 53-6-149, MCA, is amended to read:

"53-6-149. (Temporary) State special revenue fund account — administration. (1) There is a hospital medicaid reimbursement account in the state special revenue fund provided for in 17-2-102.

(2) *Except as provided in 15-66-102(3), all money collected under 15-66-102 must be deposited in the account.*

(3) Money in the account must be used by the department of public health and human services to provide funding for increases in medicaid payments to hospitals and for the costs of collection of the fee and other administrative activities associated with the implementation of increases in the medicaid payments to hospitals. (Terminates June 30, 2009—sec. 5, Ch. 517, L. 2007.)"

Section 34. Medicaid reserve account. There is a medicaid reserve account in the state special revenue fund provided for in 17-2-102. Money in the account must be used by the department for medicaid benefits after June 30, 2011. Any interest or income earned on the account must be deposited in the account. Each calendar quarter through December 31, 2010, the amount recovered under the federal medical assistance percentage hold harmless provision of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, must be transferred to the medicaid reserve account.

Section 35. Section 53-6-1201, MCA, is amended to read:

"53-6-1201. Special revenue fund — health and medicaid initiatives.

(1) There is a health and medicaid initiatives account in the state special revenue fund established by 17-2-102. This account is to be administered by the department of public health and human services.

(2) There must be deposited in the account:

(a) money from cigarette taxes deposited under 16-11-119(1)(c);

(b) money from taxes on tobacco products other than cigarettes deposited under 16-11-119(3)(b); and

(c) any interest and income earned on the account.

(3) This account may be used only to provide funding for:

(a) the state funds necessary to take full advantage of available federal matching funds in order to maximize enrollment of eligible children under the children's health insurance program, provided for under Title 53, chapter 4, part 10, and to provide outreach to the eligible children; ~~The increased revenue in this account is intended to increase enrollment rates for eligible children in the program and not to be used to support existing levels of enrollment based upon appropriations for the biennium ending June 30, 2006.~~

(b) a new need-based prescription drug program established by the legislature for children, seniors, chronically ill persons, and disabled persons that does not supplant similar services provided under any existing program;

(c) increased medicaid services and medicaid provider rates; ~~The increased revenue is intended to increase medicaid services and medicaid provider rates and not to supplant the general fund in the trended traditional level of appropriation for medicaid services and medicaid provider rates.~~

(d) an offset to loss of revenue to the general fund as a result of new tax credits;

(e) funding new programs to assist eligible small employers with the costs of providing health insurance benefits to eligible employees;

(f) the cost of administering the tax credit, the purchasing pool, and the premium incentive payments and premium assistance payments as provided in Title 33, chapter 22, part 20; and

(g) providing a state match for the medicaid program for premium incentive payments or premium assistance payments to the extent that a waiver is granted by federal law as provided in 53-2-216.

(4) ~~(a) Except for \$1 million appropriated for the startup costs of 53-6-1004 and 53-6-1005, the money appropriated for fiscal year 2006 for the programs in subsections (3)(b) and (3)(d) through (3)(g) may not be expended until the office of budget and program planning has certified that \$25 million has been deposited in the account provided for in this section or December 1, 2005, whichever occurs earlier.~~

(b) On or before July 1, the budget director shall calculate a balance required to sustain each program in subsection (3) for each fiscal year of the biennium. If the budget director certifies that the reserve balance will be sufficient, then the agencies may expend the revenue for the programs as appropriated. If the budget director determines that the reserve balance of the revenue will not support the level of appropriation, the budget director shall notify each agency. Upon receipt of the notification, the agency shall adjust the operating budget for the program to reflect the available revenue as determined by the budget director.

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(e)(b) Until the programs or credits described in subsections (3)(b) and (3)(d) through (3)(g) are established, the funding must be used exclusively for the purposes described in subsections (3)(a) and (3)(c).

~~(6) The phrase "trended traditional level of appropriation", as used in subsection (3)(e), means the appropriation amounts, including supplemental appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.~~

(6)(5) The department of public health and human services may adopt rules to implement this section."

Section 36. Section 75-5-1102, MCA, is amended to read:

"75-5-1102. Definitions. Unless the context requires otherwise, in this part, the following definitions apply:

(1) "Administrative costs" means costs incurred by the department and the department of natural resources and conservation in the administration of the program, including but not limited to costs of servicing loans and issuing debt; program startup costs; financial, management, and legal consulting fees; and reimbursement costs for support services from other state agencies.

(2) "Cost" means, with reference to a project, all capital costs incurred or to be incurred by a municipality or a private person, including but not limited to engineering, construction, financing, and other fees, interest during construction, and a reasonable allowance for contingencies to the extent permitted by the federal act and regulations promulgated under the federal act.

(3) "Federal act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, 33 U.S.C. 1251 through 1387, as amended, *including conditions and exclusions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5.*

(4) "Intended use plan" means the annual plan adopted by the department and submitted to the environmental protection agency that describes how the state intends to use the money in the revolving fund.

(5) "Loan" means a loan of money from the revolving fund to a municipality or a private person.

(6) "Municipality" means any state agency, city, town, or other public body created pursuant to state law, including an authority as defined in 75-6-304.

(7) "Private person" means an individual, corporation, partnership, or other nongovernmental legal entity.

(8) "Program" means the water pollution control state revolving fund program established by this part.

(9) "Project" means an activity that is eligible for financing by the program under the federal act, including treatment works, as defined under section 1292 of the federal act (33 U.S.C. 1292), and nonpoint source pollution control under section 1329 of the federal act (33 U.S.C. 1329), and for which a municipality or private person makes an application for a loan or other financial assistance.

(10) "Revolving fund" means the fund established by 75-5-1106."

Section 37. Section 75-5-1107, MCA, is amended to read:

"75-5-1107. Uses of revolving fund. (1) Money in the revolving fund must be used to:

(1)(a) make loans to municipalities to finance all or a portion of the cost of a project and to make loans to private persons to finance all or a portion of the cost of nonpoint source pollution control projects;

(2)(b) buy or refinance debt obligations of municipalities that were issued to finance projects within the state at or below market rates, provided that the obligations were incurred after March 7, 1985;

(3)(c) guarantee or purchase insurance for obligations of municipalities that were issued to finance projects in order to enhance credit or reduce interest rates;

(4)(d) provide a source of revenue or security for general obligation bonds the proceeds of which are deposited in the revolving fund;

(5)(e) provide loan guarantees for similar revolving funds established by municipalities;

(6)(f) earn interest on fund accounts; and

(7)(g) pay reasonable administrative costs of the program not to exceed 4% of all federal grant awards to the fund or the maximum amount allowed under the federal act.

(2) *Money received by the state under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, as capitalization grants for a state revolving fund may be used by the department or the department of natural resources and conservation to provide additional subsidization to eligible recipients in the form of forgiveness of the principal of a loan to the extent permitted or required by federal law and subject to satisfaction of conditions on loans described in 75-5-1113."*

Section 38. Section 75-6-202, MCA, is amended to read:

"75-6-202. Definitions. Unless the context requires otherwise, in this part, the following definitions apply:

(1) "Administrative costs" means costs incurred by the department and the department of natural resources and conservation in the administration of the program, including but not limited to:

(a) costs of servicing loans and issuing debt;

(b) program startup costs;

(c) financial, management, and legal consulting fees; and

(d) reimbursement costs for support services from other state agencies.

(2) "Community water system" means a public water system that is owned by a private person or a municipality and that serves at least 15 service connections used by year-round residents of the area served by the system or regularly serves at least 25 year-round residents. The term does not include a public water system that is owned by the federal government.

(3) "Cost" means, with reference to a project, all capital costs incurred or to be incurred for a public water system, including but not limited to:

(a) engineering, financing, and other fees;

(b) interest during construction;

(c) construction; and

(d) a reasonable allowance for contingencies to the extent permitted by the federal act and rules promulgated under the federal act.

(4) "Department" means the department of environmental quality provided for in 2-15-3501.

(5) "Disadvantaged community" means one in which the service area of a public water system meets the affordability criteria established by rule adopted pursuant to this part.

(6) "Federal act" means the federal Safe Drinking Water Act, 42 U.S.C. 300f, et seq., as that act read on May 5, 1997, and including conditions and exclusions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(7) "Indian tribe" means an Indian tribe that has a federally recognized governing body carrying out substantial governmental duties and powers over any area.

(8) "Intended use plan" means the annual plan adopted by the department and submitted to the environmental protection agency that describes how the state intends to use the money in the revolving fund.

(9) "Loan" means a loan of money from the revolving fund for project costs.

(10) "Municipality" means a state agency, city, town, or other public body, including an authority as defined in 75-6-304, created pursuant to state law or an Indian tribe.

(11) "Noncommunity water system" means a public water system that is not a community water system.

(12) "Nonprofit noncommunity water system" means a noncommunity water system owned by an organization that is organized under Montana law and that qualifies as a tax-exempt organization under the provisions of section 501(c)(3) of the Internal Revenue Code.

(13) "Private person" means an individual, corporation, partnership, or other nongovernmental legal entity.

(14) "Program" means the drinking water state revolving fund program established by this part.

(15) "Project" means improvements or activities that are:

(a) to be undertaken for a public water system and that are of a type that will facilitate compliance with the national primary drinking water regulations applicable to the system; or

(b) to further the health protection objectives of the federal act.

(16) "Public water system" means a system for the provision to the public of water for human consumption, through pipes or other constructed conveyances, if that system has at least 15 service connections or regularly serves at least 25 individuals. The term includes any collection, treatment, storage, and distribution facilities under control of an operator of a system that are used primarily in connection with a system and any collection or pretreatment storage facilities not under control of an operator and that are used primarily in connection with a system.

(17) "Revolving fund" means the drinking water state revolving fund established by 75-6-211."

Section 39. Section 75-6-226, MCA, is amended to read:

"75-6-226. Loan subsidy for disadvantaged communities. (1) Notwithstanding any other provision in this part, if the program makes a loan pursuant to 75-6-221(1) to a disadvantaged community or to a community that the department expects to become a disadvantaged community as a result of a proposed project, the department may provide additional subsidization in the form of a reduced interest rate, the forgiveness of principal, or a combination of both.

(2) The total annual amount of loan subsidies made by the department pursuant to subsection (1) may not exceed 30% of the capitalization grant received by the department for each fiscal year.

(3) Notwithstanding any other provision in this part, money received by the state under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, as capitalization grants for a state revolving fund may be used by the department or the department of natural resources and conservation to provide additional subsidization to eligible recipients in the form of forgiveness of the principal of a loan to the extent permitted or required by federal law and subject to satisfaction of conditions on loans described in 75-6-224."

Section 40. Section 75-25-101, MCA, is amended to read:

"75-25-101. Alternative energy revolving loan account. (1) There is a special revenue account called the alternative energy revolving loan account to the credit of the department of environmental quality.

(2) The alternative energy revolving loan account consists of money deposited into the account from air quality penalties from 75-2-401 and 75-2-413 and money from any other source. Any interest earned by the account and any interest that is generated from a loan repayment must be deposited into the account and used to sustain the program.

(3) Funds from the alternative energy revolving loan account may be used to provide loans to individuals, small businesses, units of local government, units of the university system, and nonprofit organizations for the purpose of building alternative energy systems, as defined in 15-32-102:

(a) to generate energy for their own use;

(b) for net metering as defined in 69-8-103; and

(c) for capital investments by those entities for energy conservation purposes, as defined in 15-32-102, when done in conjunction with an alternative energy system.

(4) (a) *The Except as provided in subsection (4)(b), the amount of a loan may not exceed \$40,000, and the loan must be repaid within 10 years.*

(b) For loans made using money obtained by the department of environmental quality from the federal government under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, the amount of a loan may not exceed \$100,000 and the loan must be repaid within 15 years. The department may establish a loan limit of less than \$100,000 based on the amount of money received from the federal government and the department's projected number of applications and application amounts."

Section 41. Section 75-25-102, MCA, is amended to read:

"75-25-102. Administration of revolving loan account — rulemaking authority. (1) The department of environmental quality shall adopt rules establishing:

(a) eligibility criteria, including criteria for defining residences, small businesses, and nonprofit organizations, criteria for defining capital investments for energy conservation purposes, ownership of the alternative energy facility, financial capacity to repay the loans, estimated return on investment in the alternative energy and energy conservation, and other matters that the department considers necessary to ensure repayment of loans and to encourage maximum use of the fund for alternative energy and net metering uses;

(b) processes and procedures for disbursing loans, including the agencies or organizations that are allowed to process the loan application for the department; and

(c) terms and conditions for the loans, including repayment schedules and interest.

(2) The department shall solicit assistance in the development and operation of the program from individuals familiar with financial services and persons knowledgeable in alternative energy systems.

(3) Administrative costs charged to the account may not exceed 10% of the total loans or \$23,000 a year, whichever is greater. Legal fees and costs associated with collection of debt on principal are not considered administrative costs.

(4) ~~The loan repayment period may not exceed 10 years.~~ The loans must be made at a low interest rate. The department may set the interest rate at an amount that will cover its administrative costs, but the rate may not be less than 1% a year. The department may seek recovery of the amount of principal loaned in the event of default."

Section 42. Section 90-1-204, MCA, is amended to read:

"90-1-204. Priorities for funding — rulemaking. (1) The department must receive proposals for grants and loans from local governments. A local government shall work with an economic development organization on a proposal. The department shall work with the local government and the economic development organization in preparing cost estimates for a proposed project. In reviewing proposals, the department may consult with other state agencies with expertise pertinent to the proposal.

(2) (a) The department shall adopt rules necessary to implement the big sky economic development program. In adopting rules, the department shall look to the rules adopted for the treasure state endowment program and other similar state programs. To the extent feasible, the department shall make the rules compatible with those other programs. To the extent feasible, the department shall employ an approach pertaining to the use of funds so that, except as provided in subsection (2)(b), the needs of rural areas are balanced with the needs of the state's urban centers.

(b) For high-poverty counties, the department shall employ an approach pertaining to the use of funds that is intended to lower poverty levels in the county to a percentage at which the county no longer is defined as a high-poverty county.

(c) The rules must provide for the types of uses of funds available under the big sky economic development program. The types of uses of funds by:

(i) local governments include but are not limited to:

(A) a reduction in the interest rate of a commercial loan for the expansion of a basic sector company;

(B) a grant or low-interest loan for relocation expenses for a basic sector company; and

(C) rental assistance or lease buy-downs for a relocation or expansion project for a basic sector company;

(ii) a certified regional development corporation include:

(A) support for business improvement districts and central business district redevelopment;

(B) industrial development;

(C) feasibility studies;

(D) creation and maintenance of baseline community profiles; and

(E) matching funds for federal funds, including but not limited to brownfields funds and natural resource damage funds.

(d) (i) The rules must provide for distribution methods for financial assistance available to local governments. *The Except for local government projects funded in [House Bill No. 645], the rules must provide for distribution based upon the number of jobs expected to be created because of the funding.*

(ii) *Funding Except for local government projects funded in [House Bill No. 645], funding may not exceed \$5,000 for each expected job, except that funding for a project in a high-poverty county may not exceed \$7,500 for each expected job.*

(iii) *The Except for local government projects funded in [House Bill No. 645], the rules must require equal matching funds for a grant or loan, except that the rules for a grant or a loan in a high-poverty county may allow a 50% to 100% match requirement for the high-poverty county.*

(e) *The Except for local government projects funded in [House Bill No. 645], the rules may provide for greater incentives for a high-poverty county.*

(f) *The Except for local government projects funded in [House Bill No. 645], the rules must provide for the full or partial repayment of a grant if the new jobs or some of the new jobs for which a grant is given are not created.*

(g) *A Except for local government projects funded in [House Bill No. 645], a grant or loan may be made only for a new job that has an average weekly wage that meets or exceeds the current average weekly wage of the county in which the employees are to be principally employed."*

Section 43. Allocation of bonding limits — American Recovery and Reinvestment Act of 2009. Unless the regulations adopted by the United States secretary of the treasury specify otherwise:

(1) the office of public instruction is responsible for allocating the state's share of qualified school construction bonds as authorized in section 1521 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the state's allocated share of qualified zone academy bonds as authorized in section 54E of the Internal Revenue Code, 26 U.S.C. 54E;

(2) the department of administration is responsible for allocating the state's share of qualified energy conservation bonds as authorized in section 54D of the Internal Revenue Code 26 U.S.C. 54D, as amended by section 1112 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5; and

(3) the department of administration, in consultation with the department of commerce, is responsible for allocating the state's share of recovery zone economic development bonds and recovery zone facility bonds, as authorized in section 1401 of the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Section 44. Tax credit bonds. (1) As used in this section, "tax credit bond" means any general obligation bond, impact aid revenue bond, special improvement district bond, revenue bond, industrial development bond, tax increment bond, or any other bond of the state or a political subdivision that has been duly authorized and is eligible for designation as and has been designated as a qualified tax credit bond under section 54A, section 54D, section 54E,

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section 54F, or section 54AA of the Internal Revenue Code, 26 U.S.C. 54A, 54D, 54E, 54F, or 54AA.

(2) Any bond issued as a tax credit bond may be issued and sold at public or private sale, may be payable and mature as to principal and interest, if any, on any date or dates, may be subject to redemption in whole or in part as determined by the governing body of the issuer, and may have other terms and conditions that the issuer considers to be necessary and appropriate.

(3) The governing body of the issuer of any tax credit bond is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bond, including investment of funds and accounts to repay the bond.

Section 45. Recovery zone economic development bonds and recovery zone facility bonds. (1) Subject to the conditions and provisions contained in the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the availability of allocation as determined in [section 43], cities and counties are authorized to designate economic recovery zones and issue recovery zone economic development bonds and recovery zone facility bonds to finance the costs of recovery zone projects and facilities eligible under the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The bonds must be authorized by the governing body of the city or county in accordance with the applicable provisions of Montana law, unless otherwise provided in [section 44]. The governing body is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bonds, subject to the following limitations:

(a) if the bonds that are issued under this section pledge the city's or county's credit or taxing power, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 22 or 42, as appropriate;

(b) if the bonds are payable from and secured solely by the revenue from a governmentally owned and operated facility or undertaking, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 44;

(c) if the bonds are payable from special assessments levied against benefited property, the project must be eligible for special assessment financing and must be authorized in accordance with the provisions of Title 7, chapter 12, part 21 or parts 41 and 42, as appropriate;

(d) if the bonds are payable from tax increment revenue, the project to be financed must be eligible for tax increment financing and the project must be approved and the bonds must be authorized in accordance with the provisions of Title 7, chapter 15, parts 42 and 43;

(e) if the bonds are industrial development revenue bonds of the issuer, the bonds must be authorized in accordance with the provisions of Title 90, chapter 5, part 1.

Section 46. Qualified energy conservation bonds. (1) Subject to the conditions and provisions contained in section 54D of the Internal Revenue Code, 26 U.S.C. 54D, as amended by the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and the availability of an allocation, cities and counties are authorized to issue qualified energy conservation bonds to finance projects for qualified energy conservation purposes and are authorized to undertake the qualified energy conservation purposes and programs within the meaning of the section 54D of the Internal Revenue Code, 26 U.S.C. 54D, as

amended by the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The bonds must be authorized by the governing body of the city or county in accordance with the provisions of applicable Montana law, except as otherwise provided in [section 44]. The governing body is authorized to enter into agreements and make covenants that may be necessary to provide for the sale and security of the bonds, subject to the following limitations:

(a) if the bonds that are to be issued under this section pledge the city's or county's credit or taxing power, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 22 or 42, as appropriate;

(b) if the bonds to be issued under this section are payable from and secured solely by the revenue derived or generated from a qualified energy conservation program or project, they must be authorized in accordance with the provisions of Title 7, chapter 7, part 44;

(c) if the bonds are payable from special assessments levied against benefited property, the project must be eligible for special assessment financing and must be authorized in accordance with the provisions of Title 7, chapter 12, part 21 or parts 41 and 42, as appropriate;

(d) if the bonds are payable from tax increment revenue, the project to be financed must be eligible for tax increment financing and the project must be approved and the bonds must be authorized in accordance with the provisions of Title 7, chapter 15, parts 42 and 43;

(e) if the bonds are industrial development revenue bonds of the issuer, the bonds must be authorized in accordance with the provisions of Title 90, chapter 5, part 1.

Section 47. Section 90-5-101, MCA, is amended to read:

"90-5-101. Definitions. As used in this part, unless the context otherwise requires, the following definitions apply:

(1) "Agricultural enterprises" includes but is not limited to producing, warehousing, storing, fattening, treating, handling, distributing, or selling farm products or livestock.

(2) "Bonds" means bonds, refunding bonds, notes, or other obligations issued by a municipality or county under the authority of this part, including without limitation short-term bonds or notes issued in anticipation of the issuance of long-term bonds or notes.

(3) "Electric energy generation facility" means any combination of a physically connected generator or generators, associated prime movers, and other associated property and transmission facilities and upgrades and improvements of transmission facilities, including appurtenant land and improvements and personal property, that are normally operated together to produce and transfer electric power. The term includes but is not limited to generating facilities that produce and transfer electricity from coal-fired steam turbines, oil or gas turbines, wind turbines, solar power sources, fuel cells, or turbine generators that are driven by falling water.

(4) "Family services provider" means organizations, including nonprofit corporations, that provide human services for children and adults, including but not limited to early care services for children, youth services, health services, social services, habilitative services, rehabilitative services, preventive care, and supportive services, and training, educational, and referral activities in support of human services.

(5) "Governing body" means the board or body in which the general legislative powers of the municipality or county are vested.

(6) "Higher education facilities" means any real or personal properties required or useful for the operation of an institution of higher education.

(7) "Institution of higher education" means any private, nonprofit corporation or institution within the state of Montana:

- (a) authorized to provide or operate educational facilities; and
- (b) providing a program of education beyond the high school level.
- (8) "Mortgage" means a mortgage or deed of trust or other security device.
- (9) "Municipality" means any incorporated city or town in the state.
- (10) "Project" means:

(a) any land, any building or other improvement, and any other real or personal properties property considered necessary in connection with the improvement, whether or not now in existence, that must be suitable for use for commercial, manufacturing, agricultural, or industrial enterprises;

(b) recreation or tourist facilities;

(c) local, state, and federal governmental facilities;

(d) multifamily housing, hospitals, long-term care facilities, community-based facilities for individuals who are persons with developmental disabilities as defined in 53-20-102, or medical facilities;

(e) higher education facilities;

(f) electric energy generation facilities;

(g) family services provider facilities;

(h) any facilities that are used or considered necessary to create or produce any intangible item, as defined in section 197(d)(1)(C)(iii) of the Internal Revenue Code, 26 U.S.C. 197(d)(1)(C)(iii), including any patent, copyright, formula, process, design, pattern, knowledge, format, or other similar intangible item;

(i) the production of energy using an alternative renewable energy source as defined in 15-6-225; and

(j) any combination of these projects in subsections (10)(a) through (10)(i)."

Section 48. Section 90-5-103, MCA, is amended to read:

"90-5-103. Limited obligation bonds — form and contents — sale — negotiability — filing. (1) All bonds issued by a municipality or county under the authority of this part must be limited obligations of the municipality or county. Bonds and interest coupons issued under the authority of this part may not constitute or give rise to a pecuniary liability of the municipality or county or a charge against its general credit or taxing powers. This limitation must be plainly stated upon the face of each of the bonds.

(2) The bonds referred to in subsection (1) may be executed and delivered at any time and from time to time, be in form and denominations, be of tenor, be in registered or bearer form either as to principal or interest, or both, be payable in installments and at a time or times not exceeding 40 years from the bonds date, be payable at a place or places, bear interest at a rate or rates, be evidenced in a manner, be redeemable prior to maturity, with or without premium, and contain provisions not inconsistent with this part as considered in the best interest of the municipality or county and provided for in the proceedings of the governing body under whose authority the bonds must be authorized to be issued.

(3) Any bonds issued under the authority of this part may be sold at public or private sale in a manner, at a time or times, and at a price above or below par as may be agreed upon by the lessee of the project or the borrower of the funds. The municipality or county may pay all expenses, premiums, and commissions that the governing body may consider necessary or advantageous in connection with the authorization, sale, and issuance of the bonds from the proceeds of the sale of the bonds or from the revenue of the projects.

(4) All bonds issued under the authority of this part and all interest coupons applicable to the bonds must be construed to be negotiable instruments despite the fact that they are payable solely from a specified source.

(5) All bonds issued under the authority of this part must be filed with the securities commissioner within 10 days of the date of their issue. The filing must include the name of the issuing authority, the name and address of the person or entity on whose behalf the bonds are issued, the amount of the bond issue, the date of the bond issue, and any other information that the securities commissioner may request. Failure to comply with this section does not affect the validity of the bond issue.

(6) *If applicable, the governing body of the municipality or county shall specify whether the bonds are tax credit bonds as provided in [section 44], recovery zone economic development bonds or recovery zone facility bonds as provided in [section 45], or qualified energy conservation bonds as provided in [section 46]."*

Section 49. Section 90-7-102, MCA, is amended to read:

"90-7-102. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Authority" means the Montana facility finance authority created in 2-15-1815.

(2) "Capital reserve account" means the account established in 90-7-317.

(3) "Costs" means costs allowed under 90-7-103.

(4) "Eligible facility" means any eligible facility as defined in 90-7-104.

(5) (a) "Institution" means any public or private:

(i) nonprofit hospital, corporation, or other organization authorized to provide or operate an eligible facility in this state; or

(ii) nonprofit prerelease center, corporation, or other organization authorized to operate a prerelease center in this state; or

(iii) *for-profit or nonprofit corporation or other organization authorized to provide for or to operate a project or a facility with qualified small issue bond financing pursuant to section 144(a) of the Internal Revenue Code, 26 U.S.C. 144(a).*

(b) The term also includes the following, provided that the entity is a nonprofit entity or is controlled by one or more nonprofit entities:

(i) a network of health care providers, regardless of how it is organized;

(ii) an integrated health care delivery system;

(iii) a joint venture or partnership between or among health care providers;

(iv) a purchasing alliance composed of health care providers;

(v) any health insurers and third-party administrators that are participants in a system, network, joint venture, or partnership that provides health services through one or more health facilities.

(6) "Participating institution" means an institution that undertakes the financing, refunding, or refinancing of obligations on the construction or acquisition of an eligible facility pursuant to the provisions of this chapter.

(7) "Revenue" means, with respect to eligible facilities, the rents, fees, charges, interest, principal repayments, and other income received or to be received by the authority from any source on account of the eligible facilities."

Section 50. Section 90-7-104, MCA, is amended to read:

"90-7-104. Eligible facility. (1) The term "eligible facility" means any structure or building suitable for use as:

(a) a hospital, clinic, nursing home, or other health care facility as defined in 50-5-101;

(b) a public health center, as defined in 7-34-2102;

(c) a facility for persons with disabilities;

(d) a chemical dependency treatment facility;

(e) a nursing school;

(f) a medical teaching facility;

(g) a laboratory;

(h) a dental care facility;

(i) a prerelease center;

(j) a diagnostic, treatment, or surgical center;

(k) a facility providing services for the elderly; or

(l) *applicable to a project or a facility with qualified small issue bond financing pursuant to section 144(a) of the Internal Revenue Code, 26 U.S.C. 144(a); or*

(m) *a structure or facility related to any of the uses enumerated in subsections (1)(a) through (1)(k) (1)(l) or required or useful for the operation of an eligible facility. These related facilities include supporting service structures and all necessary, useful, and related equipment, furnishings, and appurtenances and include without limitation the acquisition, preparation, and development of all lands and real and personal property necessary or convenient as a site for any of the uses enumerated in subsections (1)(a) through (1)(k) (1)(l).*

(2) An eligible facility does not include:

(a) items such as food, fuel, supplies, or other items that are customarily considered as current operating expenses; and

(b) a structure used or to be used primarily for sectarian instruction or study or as a place for devotional activities or religious worship."

Section 51. Taxation of projects. (1) Regardless of whether the title to a project is held by the authority or a trustee acting for the authority, if the project is being financed by the authority on behalf of a for-profit corporation or other organization, the project is subject to taxation to the same extent, in the same manner, and under the same procedures as privately owned property in similar circumstances if the project is leased to or held by private interests on both the assessment date and the date the county commissioners set the mill levies in any year. The project is not subject to taxation in any year during which it is not leased to or held by private interests on both the assessment date and the date the county commissioners set the mill levy.

(2) When personal property owned by the authority or a trustee acting for the authority is taxed under this section and the personal property taxes on the personal property are delinquent, levy by warrant for distraint for collection of the delinquent taxes may be made only on the personal property against which the taxes were levied.

Section 52. Procedure prior to financing certain projects. (1) In addition to meeting the other requirements contained in this chapter or in state or federal law, the requirements of subsections (2) through (4) must be met before financing is provided for a project described in 90-7-104(1)(l).

(2) The authority shall find that the financing is in the public interest. In order to determine whether or not the financing is in the public interest, a public hearing must be conducted in the following manner:

(a) the city or county in which the project will be located must be notified, and the city and county shall, within 14 days after receipt of the notice, notify the board if it elects to conduct the hearing; or

(b) if a request for a local hearing is not received by the authority within 14 days after the notification in subsection (2)(a), the authority may hold the hearing at a time and place it determines.

(3) Notice of the hearing must be published at least once a week for 2 weeks prior to the date set for the hearing by publication in a newspaper of general circulation in the city or county where the hearing will be held and the project will be located. The notice must include the time and place of the hearing, a general description of the nature and location of the project, the name of the lessee, borrower, or user of the project and the maximum principal amount of the financing to be provided by the authority.

(4) If the hearing required by subsection (2) is conducted by a local government, the governing body of the local government shall notify the authority of its determination of whether the financing is in the public interest within 14 days after the completion of the public hearing.

Section 53. Earnings — statutory appropriation. If the federal government directs that funds received under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, must be invested and that the earnings must be expended for the same purpose as the funds generating the earnings, then the earnings are statutorily appropriated, as provided in 17-7-502, for the same purpose as the funds generating the earnings.

Section 54. Dissemination of information — reporting and accountability. The office of the governor shall develop and maintain a website to serve as the official website for the state of Montana for implementing the reporting and accountability requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5. The office shall develop requirements for reporting and posting information to the website, and these requirements are applicable to any recipient of funds from an appropriation in House Bill No. 645.

Section 55. Distressed wood products industry recovery program — findings — loans and grants — rulemaking. (1) Due to the current, well-documented decline in the wood products industry in Montana, the legislature finds that there is a need to assist the Montana wood products industry as a whole through a multifaceted and integrally related grant and loan program.

(2) Businesses that may be eligible under the program for loans, grants, or loans and grants include but are not limited to sawmills, plywood plants, paper

and linerboard manufacturers, bark and byproducts-related businesses, round wood producers, wood chip processors, loggers, log haulers, biochar and biomass producers, and other innovative manufacturers and processors of wood products.

(3) (a) The department of commerce shall use money appropriated for the distressed wood products industry to implement the program.

(b) Money appropriated to the department of commerce may be used by the department to, among other things:

(i) provide state matching funds to federal agencies to create loan or grant programs that will benefit the types of businesses listed in subsection (2), including the commingling of appropriated funds with federal funds as needed to meet federal regulations and grant requirements; and

(ii) provide loans, grants, or both loans and grants to the types of businesses listed in subsection (2).

(c) Repayments of loans to the department of commerce may be used by the department as revolving loan funds for primary sector business throughout the state.

(4) The department of commerce may adopt rules necessary to implement the program. Rules adopted by the department must be based upon similar finance programs administered by the department and must include:

(a) sufficient business plan and financial information to allow a reasonable determination regarding the potential feasibility of the business to create and retain jobs and, in the case of loans, to make repayments to the department;

(b) annual information from each assisted business for the term of the grant or loan agreement regarding jobs created and retained, pay levels, financial status, and reports on overall project activities; and

(c) loan and grant amounts for each job, funding limits, and matching fund requirements.

Section 56. Rulemaking. The department of commerce may adopt rules to implement the broadband mapping program funded in [House Bill No. 645].

Section 57. Distribution of local government, tribal government, and school funds. (1) Of the \$45 million appropriated to the department of commerce for distribution to local governments, tribal governments, and school districts in [section 85], \$10 million must be allocated to Montana counties, \$10 million must be allocated to Montana cities and towns, and \$5 million must be allocated to tribal governments. The department may retain 1.13% of the amount of the grants to counties, cities, towns, tribal governments, and school districts for administrative purposes. The distributions to tribal governments must be made available through the state-tribal economic development commission as provided in 90-1-130 through 90-1-135. The commission shall provide funding for projects that are available for immediate commencement to improve infrastructure or improve energy efficiency. The funds are intended to be allocated to complete priority projects as determined by the appropriate tribal government, but each tribe must be allocated at least \$200,000. The funds appropriated to the department of commerce for local governments must be distributed pursuant to Title 90, chapter 1, part 2. The funds allocated to local governments must be distributed as follows:

(a) each county must receive \$100,000 plus the proportional share of the funds remaining from the \$10 million based upon a blending of the distribution formulas contained in 15-70-101(2)(b) and (3); and

(b) each city and town must receive \$5,000 plus a proportional share of the funds remaining from the \$10 million. The proportional share is calculated by allocating 50% of the remaining funds to each city and town based upon the distribution formula in 15-70-101(2)(c) and 50% of the remaining funds to each city and town based upon the percentage that the population of each city or town bears to the total population of all cities and towns.

(2) Funds received by a county, city, or town pursuant to subsection (1) may be used for:

(a) the following county projects: Beaverhead, county courthouse repair; Big Horn, Little Horn road reconstruction; Blaine, county building improvements; Broadwater, county road chip seal; Carbon, West Fork road expansion; Carter, gravel crushing; Cascade, county building energy performance contract; Chouteau, county road repair and reconstruction; Custer, county road and buildings, including Silo Loop road, Pine Hills improvement, and county building repair and remodel; Daniels, county road gravel screening/crushing; Dawson, county building repair/remodel/construction; Deer Lodge, street light renovation; Fallon, county road and parks shop building; Fergus, Scott Crossing bridge replacement; Flathead, Mennonite Church and Creston roads construction; Gallatin, fairgrounds restroom construction and replacement; Garfield, county building heating/cooling system replacement; Glacier, Glacier County jail/detention center; Golden Valley, fire hall and roads; Granite, Metesch Lane bridge replacement; Hill, Sheppard and Bulhook roads pavement overlay; Jefferson, Boulder south campus sewer replacement; Judith Basin, replace Arrow Creek and Judith River bridge; Lake, South Valley Creek bridge replacement, Skyline bridge repair, and courthouse weatherization; Lewis and Clark, Lewis and Clark County fairgrounds plaza; Liberty, Liberty senior center; Lincoln, Tobacco Valley industrial park infrastructure improvements and Kootenai business park improvements; Madison, Madison County office renovation and bridge improvement projects; McCone, geothermal heat loop courthouse retrofit; Meagher, county building energy efficiency and handicap accessibility updates; Mineral, Mineral County jail and courthouse restoration and repair; Missoula, Big Flat road reconstruction; Musselshell, Goffena bridge replacement; Park, 9th Street bridge replacement; Petroleum, courthouse windows, Dovetail Creek crossing, and Petroleum County road upgrade; Phillips, courthouse parking lot and sidewalk projects; Pondera, Pondera County community and senior center remodel; Powder River, Powder River County fire hall; Powell, energy efficient windows and boiler for county courthouse; Prairie, county fairgrounds grandstand replacement and Terry park facilities renovation; Ravalli, Ambrose Creek road pavement preservation; Richland, Spring Lake road reconstruction; Roosevelt, energy efficient courthouse windows project; Rosebud, Ingomar water and sewer project and Forsyth library elevator project; Sanders, high bridge reconstruction; Sheridan, county road gravel and engineering, county road gravel crushing, Plentywood bypass route; Silver Bow, county road repair and maintenance; Stillwater, county courthouse and bridge; Sweet Grass, Pioneer medical center renovation; Teton, county nursing home and county road gravel; Toole, energy efficient lighting for Toole County hospital; Treasure, county building renovations; Valley, Valley County detention center addition; Wheatland, county road shop and Harlowtown fire hall; Wibaux, county fairgrounds exhibit building; Yellowstone, Clapper Flat and Vandaveer roads and courthouse remodel; and

(b) the following city and town projects: Alberton, street repairs and paving; Anaconda-Deer Lodge, street light renovation; Bainville, Simard Park improvements — sprinkler systems and sidewalks; Baker, storm drain

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installation on South Montana 7 and Secondary 322; Bearcreek, town hall renovation and repairs; Belgrade, street intersection reconstruction and sidewalk extension; Belt, replace concrete water storage tank; Big Sandy, sewer main replacement and resurface Johannes Avenue; Big Timber, Anderson Street asphalt overlay project; Billings, reconstruction of Alkali Creek Road; Boulder, water system treatment project; Bozeman, water system treatment project, water reclamation facility — water treatment plant design, recreation facility improvements, sidewalks and restroom upgrades in parks, and debris removal; Bridger, street and sidewalk repairs; Broadus, addition to city hall for police department and sewer lagoon repairs; Broadview, general repairs and maintenance; Brockton, wastewater system repairs and street and alley repairs; Browning, new fire hall; Butte-Silver Bow, road repairs and maintenance; Cascade, one block sewer main replacement; Chester, chip seal town streets; Chinook, city hall repair and improvements and paint armory building; Choteau, city hall-fire station remodel and replace unit heaters in Pavilion building; Circle, purchase street patcher equipment and sewer treatment plant; Clyde Park, construction of Lathrop Street; Colstrip, Orchard lift station replacement; Columbia Falls, street construction and improvements; Columbus, replace curb, gutter, and sidewalk on Pike Avenue; Conrad, replace hydrants and valves and overlay Dakota Street; Culbertson, architecture design of new fire hall; Cut Bank, final engineering and design work for Railroad Street; Darby, water system improvement project; Deer Lodge, phase 1 sewer rehabilitation collection system; Denton, water-sewer upgrades, building repairs, and street repairs; Dillon, Glendale street project; Dodson, street repairs; Drummond, street repairs and park maintenance; Dutton, city park improvements; East Helena, renovate city hall; Ekalaka, bridge and street repair; Ennis, town hall expansion and remodel project; Eureka, repair main arterial road; Fairfield, design and erect new fire hall, televiser sewer lines, and replace hydrants; Fairview, park bathrooms renovation; Flaxville, water storage tank repairs; Forsyth, water storage tank and water works repairs; Fort Benton, chip seal city streets, U.S. highway 87 repairs, and airport runway improvements; Fort Peck, replace aging fire hydrants; Froid, water storage reservoir replacement; Fromberg, street and sidewalk repairs; Geraldine, main sewer line extension; Glasgow, rehabilitate southside lift station; Glendive, street reconstruction; Grass Range, water, sewer, and street repairs; Great Falls, West Bank street and right-of-way improvement and civic center roof repair; Hamilton, Tenth street reconstruction; Hardin, new fire hall; Harlem, city hall renovation and weatherization and street maintenance; Harlowton, replace sidewalks and install handicapped curbs; Havre, new lift station and recoat concrete water tank; Helena, Centennial Park trail system construction; Hingham, sewer project, street and sidewalk repairs, and fire hydrants; Hobson, extend water to boulevard on Main Street; Hot Springs, remodel fire hall and repair streets; Hysham, overlay town streets; Ismay, general repairs and maintenance; Joliet, sewer and water improvements; Jordan, improve existing streets; Judith Gap, Fourth Avenue street improvements; Kalispell, street projects; Kevin, drainage, culvert, and road repairs; Laurel, open ditch mitigation near middle school; Lavina, install new water system; Lewistown, chip seal streets; Libby, sewer main extension to Cabinet Heights; Lima, gravel streets and park shelter; Livingston, safety and building repairs to Sacajawea Park and repairs to sidewalks and streets; Lodge Grass, sewer lagoon; Malta, water and sewer line repairs and maintenance and street paving and repairs; Manhattan, sidewalk extensions, repairs, and maintenance; Medicine Lake, sewer lagoon maintenance, water tower, and waterworks repairs; Melstone, install fire hydrants, water and sewer installation to

community center, and sidewalks, curbs, and gutters; Miles City, stormwater system sediment removal and debris removal; Missoula, ADA sidewalk ramps and North Higgins streetscape; Moore, street repairs and capital improvements; Nashua, sewer and water main replacements; Neihart, streets and capital improvements; Opheim, water system and general repairs; Outlook, connect water system to new well; Philipsburg, replace water and sewer lines; Pinesdale, capital improvements and repairs; Plains, city hall renovations including ADA bathrooms and furnace and air conditioning; Plentywood, engineering study of wastewater treatment system, replace sidewalk at city hall and add gutter system, and chip seal streets; Plevna, culvert and drainage improvements and chip seal streets; Polson, Riverside water main replacement; Poplar, street repairs after water line installation; Red Lodge, roof repairs on city hall and police station; Rexford, community center siding and repairs; Richey, road repairs and maintenance; Ronan, repair and overlay Third Avenue Northwest; Roundup, curbs, gutters, and sidewalks on Second Avenue East; Ryegate, city park improvements; Saco, street repairs and maintenance; Saint Ignatius, street paving and pedestrian path and other park repairs; Scobey, weatherize city hall; Shelby, street repairs; Sheridan, street repairs and maintenance; Sidney, Twenty-Second Avenue Northwest reconstruction; Stanford, street intersection improvements and replacements; Stevensville, repair and replace roof on town hall complex building; Sunburst, resurface streets, ADA curbs and gutters, and other street repair; Superior, water construction phase II, street repairs, and renovate park buildings; Terry, park improvements; Thompson Falls, street repairs and replace water meters with radio read meters; Three Forks, pave streets and equip parks and recreation facilities; Townsend, Broadway sidewalk replacement; Troy, city hall restoration; Twin Bridges, public walking path connecting parks; Valier, install water tank, new water meters, and water lines and trunks; Virginia City, remodel and relocate city hall; Walkerville, street improvements; West Yellowstone, wastewater improvements; Westby, resurface streets; White Sulphur Springs, patch and repair city streets; Whitefish, new emergency services building; Whitehall, new ambulance building, wastewater improvements, and debris removal; Wibaux, remodel park bathroom as handicapped accessible; Winifred, drainage projects; Winnett, street drainage improvements; Wolf Point, gate valve and hydrant replacement; or

(c) projects approved by the department of commerce for the following purposes:

- (i) designing, erecting, repairing, and remodeling public buildings or making energy efficiency improvements to public buildings;
- (ii) designing, constructing, and repairing sewers, storm sewers, sewage treatment and disposal plants, waterworks, and reservoirs;
- (iii) designing, constructing, and repairing bridges, docks, wharves, breakwaters, and piers;
- (iv) designing, constructing, reconstructing, improving, maintaining, and repairing roads;
- (v) acquiring, opening, or widening any street and improving the street by designing, constructing, reconstructing, and repairing pavement, gutters, sidewalks, curbs, and vehicle parking strips;
- (vi) designing, building, renovating, and equipping parks and other recreation facilities; and
- (vii) installing street lighting.

(3) The governing body of a county, city, or town may choose to propose to the department of commerce an alternate project to those listed in subsections (2)(a) and (2)(b) based on the criteria in subsection (2)(c). If the alternate project meets the criteria in subsection (2)(c), the department shall approve the project.

(4) The department of commerce shall distribute \$20 million of the appropriation for Distribution to School Districts and Local and Tribal Governments to school districts based upon the formula for distributing the quality educator payment provided for in 20-9-327. A school district shall use the funds received pursuant to this section for deferred maintenance on school facilities and for making energy efficiency improvements.

(5) A recipient of funds under this section must expend the funds by September 30, 2010. Unexpended funds must revert to the state and be deposited in the state general fund. The department of commerce shall disburse the funds to recipients as quickly as possible.

Section 58. Quick start energy grants. (1) There is a quick start energy program within the department of commerce for quick start energy efficiency improvement grants to public school districts for projects that provide long-term, cost-effective benefits to school facilities.

(2) A public school district may submit an application to the department of commerce for quick start energy efficiency improvement grant funding for:

- (a) an energy audit or evaluation of the potential for energy savings in a school facility by a prequalified energy auditor; or
- (b) energy efficiency improvements that are based on an energy audit or evaluation and that are expected to achieve measurable energy efficiency to a school facility and cost savings to the public school district.

(3) In awarding grants under this section, the department of commerce shall consider the potential for energy savings in a public school facility based on the age, energy use, function, and condition of the building. The department shall give priority to schools operating out of temporary facilities.

(4) The department of commerce may consult with the department of environmental quality and the architecture and engineering division of the department of administration in the review and evaluation of quick start grant applications.

(5) The department of commerce shall distribute quick start energy program funds on a reimbursement basis from May 15, 2009, until September 30, 2009. Any quick start funds not obligated under this section for reimbursement to a public school district by September 30, 2009, must be used as provided in [section 85] for the School Facilities Program Administration and Grants line item appropriation.

(6) The department of commerce shall collect information regarding the cost savings to public school districts that make energy efficiency improvements based on grant funding received under subsection (2)(b).

(7) The department of commerce shall consult with the office of public instruction on the disbursement of quick start grants and shall make every attempt to accommodate large schools, small schools, urban schools, and rural schools.

(8) Quick start grants made under this program are subject to review by the legislative finance committee.

Section 59. Energy development and demonstration grant program. (1) There is an energy development and demonstration grant program within the department of environmental quality to fund technology development and demonstration:

(a) advancing the development and utilization of energy storage systems, including but not limited to mediums, such as accumulators, fuel cells, and batteries, that store energy that may be drawn upon at a later date for use;

(b) developing storage systems specifically designed to store energy generated from eligible renewable resources as defined in 69-3-2003, including but not limited to compressed air energy storage systems;

(c) promoting the efficiency, environmental performance, and cost-competitiveness of energy storage systems beyond the current level of technology; and

(d) advancing the development of alternative energy systems as defined in 15-32-102.

(2) Entities that may be eligible for grants include but are not limited to units of the Montana university system, agricultural research centers, or private entities or research centers.

(3) Money appropriated to the department of environmental quality for the purpose of the energy development and demonstration grant program may be used by the department for providing individual grants in amounts up to \$500,000 and for administrative costs of 1% of the grant award.

(4) The grant application may include:

(a) a project plan sufficient to allow a reasonable determination regarding the potential feasibility of advancing energy storage or alternative energy systems;

(b) a business plan to allow a reasonable determination regarding the financial feasibility of the project; and

(c) a reporting process to ensure progress toward project goals.

Section 60. Welcome home loan program. ~~The department of commerce shall develop a mortgage loan program to assist first-time home buyers with down payment and closing costs. The program must provide for lending institutions to make short-term loans of \$5,000 to qualified first-time home buyers. The loans must be paid by June 30, 2010. The department may require the home buyer to pledge federal tax credits to the loan repayment.~~

Section 61. Contingent loan acquisition account—fund transfer. ~~(1) There is a contingent loan acquisition account in the state special revenue fund. The amount of \$2 million is transferred from the state general fund to the account.~~

~~(2) The board of housing may use money in the account to purchase loans made under [section 60] that are not paid by June 30, 2010. Money remaining in the account on August 1, 2010, must revert to the general fund.~~

Section 62. Fund transfer. There is transferred \$300,000 from the state general fund to the senior citizen and persons with disabilities transportation services account.

Section 63. Allocation and distribution of increased state support for schools. The superintendent of public instruction shall allocate and distribute the funds appropriated in [section 85] for Increase State Support for Schools With Education Stabilization Funds as follows:

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(1) for fiscal year 2010:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2010 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act]; and

(2) for fiscal year 2011:

(a) recalculate the basic entitlement and per-ANB entitlement by multiplying the basic entitlement and per-ANB entitlement for fiscal year 2011 in 20-9-306 by 1.02;

(b) calculate the BASE budget, maximum general fund budget, direct state aid, and guaranteed tax base aid for each school district using the recalculated basic and per-ANB entitlements; and

(c) distribute K-12 BASE aid to school districts in accordance with the payment schedule in 20-9-344 from the appropriations in House Bill No. 2 and [this act].

Section 64. Section 20, Chapter 390, Laws of 2003, is amended to read:

“Section 20. Termination. [This act] terminates June 30, ~~2005~~ 2011.”

Section 65. Section 4, Chapter 606, Laws of 2005, is amended to read:

"Section 20. Termination. [This act] terminates June 30, ~~2005~~ *2007*
2011."

Section 66. Section 7, Chapter 606, Laws of 2005, is amended to read:

“Section 7. Termination. [This act] terminates June 30, ~~2007~~ 2011.”

Section 67. Section 4, Chapter 517, Laws of 2007, is amended to read:

"Section 4. Section 20, Chapter 390, Laws of 2003, is amended to read:
"Section 20. Termination. [This act] terminates June 30, ~~2005~~ *2009*
2011."

Section 68. Section 5, Chapter 517, Laws of 2007, is amended to read:

"Section 5. Section 4, Chapter 606, Laws of 2005, is amended to read:

“Section 4. Section 20, Chapter 390, Laws of 2003, is amended to read:
“Section 20. Termination. [This act] terminates June 30, ~~2005~~ ~~2007~~ ~~2009~~
2011.””

Section 69. Section 6, Chapter 517, Laws of 2007, is amended to read:

"Section 6. Section 7, Chapter 606, Laws of 2005, is amended to read:

"Section 7. Termination. [This act] terminates June 30, 2007 ~~2009~~ 2011."

Section 70. Section 8, Chapter 517, Laws of 2007, is amended to read:

"Section 8. Termination. [Sections 1 through 3] terminate June 30, 2009
2011."

Section 71. Section 9-B, items 4b and 10, Chapter 5, Special Laws of May 2007, is amended to read:

General Fund	State Special Revenue	Fiscal 2002		Total	Fiscal 2009			Total
		Federal Special Revenue	Proprietary		Other	General Fund	State Special Revenue		Proprietary	Other
"4. Child Support Enforcement Division (05)								
b. Child Support Deficit Reduction Act (Restricted/OTO)	0	0	0	1,620,765	2,154,669	0	0	9,164,569
1,620,765					507,675			507,675
10. Health Resources Division (11)								
123,698,117	19,947,092	341,190,786	0	484,835,995	194,719,465	19,749,092	367,544,813	692,112,479
			0	484,835,995	85,719,465			473,113,370
a. Health Resources Division Administration/Reporting								
232,550	12,726	281,657	0	526,933	234,555	12,841	284,208	531,704
b. Direct Care Worker Wage Increase (Restricted)								
18,036	300,000	695,142	0	1,013,178	19,050	300,000	694,128	1,013,178
c. Provider Rate Increase (Restricted)								
0	1,620,277	2,100,682	0	3,720,959	1,222,651	1,646,566	4,247,683	7,116,930
d. Hospital Utilization Fee (Restricted)								
0	17,503,843	38,222,192	0	55,726,035	0	20,324,595	44,183,150	64,507,745
e. Family Planning Waiver (OTO)								
348,297	0	2,743,296	0	3,091,593	347,669	0	2,742,669	3,090,338
f. Prescription Drug Discount Program (Restricted)								
0	1,389,441	0	0	1,389,441	0	2,037,846	0	2,037,846
g. Equalize Campus-Based Rates (Restricted)								
23,785	0	69,943	0	93,728	54,261	0	159,558	213,819
h. Raise Physician Reimbursement (Restricted)								
0	0	0	0	0	520,306	0	1,522,928	2,043,234
i. Medicaid Eligibility for Pregnant Women to 150% (Restricted)								
0	943,117	2,061,397	0	3,004,514	0	1,216,532	2,646,701	3,863,233
j. Revise Medically Needy Income Level (Restricted)								
371,647	0	1,092,864	0	1,464,511	743,295	0	2,175,811	2,918,906
k. Big Sky Rx Premium Assistance (Restricted/Biennial)								
0	9,674,920	0	0	9,674,920	0	0	0	0
The department may allocate the prediction of funds in the Health Resources Division among programs and line items that contain Medicaid or Title IV-E funding."								

The department may allocate the reduction of funds in the Health Resources Division among programs and line items that contain medicaid or Title IV-E funding.

Section 72. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 2 is passed and approved and if [this act] appropriates funds:

(a) to the department of commerce for:

(i) Indian country economic development in the amount of \$1,596,992, then the general fund appropriation for that purpose in House Bill No. 2 is void;

(ii) high-performance computing in the amount of \$2,000,000, then the general fund appropriation for that purpose in House Bill No. 2 is void;

(iii) the energy promotion and development division in the amount of \$910,000, then the general fund appropriation for that purpose in House Bill No. 2 is void; and

(iv) the Montana main street program in the amount of \$250,000, then the general fund appropriation for that purpose in House Bill No. 2 is void;

(b) to the office of public instruction for Stabilization Funding for K-12 Education, then the general fund appropriation for BASE aid in House Bill No. 2 is reduced by \$14,613,477 in FY 2010 and \$25,779,699 in FY 2011;

(c) to office of the commissioner of higher education for appropriation distribution transfers, then the general fund appropriation for that purpose in House Bill No. 2 is reduced by \$29,762,223 in FY 2010 and \$29,762,224 in FY 2011; and

(d) to the office of the commissioner of higher education for Replace 6-Mill Levy Revenue Shortfall With Federal General Stabilization Funds, then the state special revenue fund appropriation in House Bill No. 2 is reduced by \$1,447,296 in fiscal year 2010 and \$1,046,625 in fiscal year 2011.

(2) If the amount of an appropriation described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding appropriation for that purpose contained in House Bill No. 2 is not void, but is reduced by the amount appropriated in [section 85].

Section 73. Coordination instruction. (1) Subject to subsection (4), if House Bill No. 5 is passed and approved and if [this act] provides fund transfers from the general fund to:

(a) the state energy conservation repayment account in the department of environmental quality in the amount of \$750,000 per year, then the transfers of \$1 million in FY 2010 and \$500,000 in FY 2011 in section 3 of House Bill No. 5 for the state building energy conservation program are void;

(b) the state energy conservation capital projects account in the department of environmental quality in the amount of \$750,000 per fiscal year and if the total appropriations of the federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, to the department of environmental quality in [House Bill No. 5] is in the amount of \$17 million or greater, then the transfers of \$10,400,000 in FY 2010 and \$2,957,000 in FY 2011 in section 3 of House Bill No. 5 for the energy conservation projects are void.

(2) Subject to subsection (3), if House Bill No. 5 is passed and approved and if the total of the line item general fund transfers in House Bill No. 645 for long range building is \$5.2 million or more, then the transfers of \$2.6 million in FY 2010 and \$2.6 million in FY 2011 in section 3 of House Bill No. 5 for long-range building are void.

(3) If the amount of a fund transfer described in subsection (1) or an allocation described in subsection (2) is for an amount less than the amount specified in subsections (1) and (2), then the corresponding transfer or allocation

for that purpose contained in House Bill No. 5 is not void, but is reduced by the amount transferred or allocated in [section 85].

Section 74. Coordination instruction. (1) Subject to subsection (3), if House Bill No. 10 is passed and approved and if [this act] contains:

(a) an appropriation of \$1 million in general fund to the department of administration for interoperability Montana, then the general fund appropriation for that purpose in House Bill No. 10 is void;

(b) an appropriation of \$3.5 million in general fund to the department of administration for the enterprise system services center equipment, then the general fund appropriation for that purpose in House Bill No. 10 is void.

(2) Subject to subsection (3), if House Bill No. 10 is passed and approved and if [this act] does not contain a transfer of general fund of \$1.5 million for the secretary of state for the SOS information management system, then the appropriation for that purpose in House Bill No. 10 is void.

(3) If the amount of an appropriation described in subsections (1) and (2) is for an amount less than the amount specified in subsections (1) and (2), then the corresponding appropriation for that purpose contained in House Bill No. 10 is not void, but is reduced by the amount appropriated in [section 85].

~~**Section 75. Coordination instruction.** (1) Subject to subsection (2), if House Bill No. 13 is passed and approved and if [this act] contains an appropriation for:~~

~~(a) personal services contingency in the amount of \$4 million, then the general fund appropriation for that purpose in House Bill No. 13 is void;~~

~~(b) labor/management training initiative in the amount of \$75,000, then the general fund appropriation for that purpose in House Bill No. 13 is void; and~~

~~(c) the \$450 individual pay adjustments in the amount of \$3,065,451, then the general fund appropriation for that purpose in House Bill No. 13 is void.~~

~~(2) If the amount of an appropriation described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding appropriation for that purpose contained in House Bill No. 13 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount appropriated in [section 85].~~

Section 76. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 135 is passed and approved and if [this act] contains a fund transfer for the Fort Belknap-Montana water rights compact in the amount of \$1 million, then the general fund transfer to the Peoples Creek minimum flow account in House Bill No. 135 is void.

(2) If the amount of the fund transfer described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding fund transfer for that purpose contained in House Bill No. 135 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount transferred in [section 85].

Section 77. Coordination instruction. (1) Subject to subsection (2), if House Bill No. 161 is passed and approved and if [this act] contains a fund transfer for the Blackfeet Tribe water rights compact in the amount of \$4 million, then the general fund transfer to the Blackfeet Tribe water rights compact infrastructure account in House Bill No. 161 is void.

(2) If the amount of the fund transfer described in subsection (1) is for an amount less than the amount specified in subsection (1), then the corresponding

fund transfer for that purpose contained in House Bill No. 161 is not void, but is reduced by the amount of the difference between the amount specified in subsection (1) and the amount transferred in [section 85].

Section 78. Codification instruction. (1) [Sections 29 and 30] are intended to be codified as an integral part of Title 39, chapter 51, part 21, and the provisions of Title 39, chapter 51, part 21, apply to [sections 29 and 30].

(2) [Section 34] is intended to be codified as an integral part of Title 53, chapter 6, part 1, and the provisions of Title 53, chapter 6, part 1, apply to [section 34].

(3) [Section 53] is intended to be codified as an integral part of Title 17, chapter 3, part 1, and the provisions of Title 17, chapter 3, part 1, apply to [section 53].

(4) [Sections 55 and 56] are intended to be codified as an integral part of Title 90, chapter 1, part 1, and the provisions of Title 90, chapter 1, part 1, apply to [sections 55 and 56].

(5) [Sections 43 and 44] are intended to be codified as an integral part of Title 17, chapter 5, part 1, and the provisions of Title 17, chapter 5, part 1, apply to [sections 43 and 44].

(6) [Sections 45 and 46] are intended to be codified as an integral part of Title 7, chapter 7, part 1, and the provisions of Title 7, chapter 7, part 1, apply to [sections 45 and 46].

(7) [Sections 51 and 52] are intended to be codified as an integral part of Title 90, chapter 7, and the provisions of Title 90, chapter 7, apply to [sections 51 and 52].

Section 79. Contingent voidness. (1) If the federal government refuses to participate in or denies approval of any state plan amendment related to [section 11] for medicaid payments to hospitals, then [section 11] is void.

(2) The department of public health and human services shall notify the code commissioner of the occurrence of any determination made pursuant to subsection (1) and the date of the occurrence.

Section 80. Effective date. [This act] is effective on passage and approval.

Section 81. Retroactive applicability. [Sections 36 and 38] apply retroactively, within the meaning of 1-2-109, to February 17, 2009.

Section 82. Termination. [Sections 1, 11 through 13, 18, 19, 27, 31 through 33, 35 through 42, 57, 58, 60, and 61] terminate June 30, 2011.

Section 83. Voided appropriation — use — appropriation. If a general fund appropriation contained in [section 85] is voided or vetoed, then the amount of the voided or vetoed general fund appropriation is appropriated to the department of commerce. The department shall use 25% of the appropriation for distribution to counties pursuant to [section 57(1)(a)], 25% of the appropriation for distribution to cities and towns pursuant to [section 57(1)(b)], 25% of the appropriation for distribution to tribal governments pursuant to [section 57(1)], and 25% for distribution to school districts pursuant to [section 57(4)].

Section 84. Appropriation control. An appropriation item in [section 85] that is designated "Restricted" may be used during the biennium only for the purpose designated by its title and as presented to the legislature.

Section 85. Appropriations — fund transfers — allocations. The following money is appropriated for the respective fiscal years. Appropriations

may be transferred among FY 2009, FY 2010, and FY 2011. The office of budget and program planning is authorized to transfer up to \$2 million of the appropriations, authority, or both in this section between the general fund and the federal special revenue fund for the purpose of making adjustments to maintain necessary maintenance of effort and other requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for the use of both the state general fund and the federal state fiscal stabilization funds.

General Fund	State Special Revenue	Fiscal 2010			Total	General Fund	State Special Revenue	Fiscal 2011			Total
		Federal Special Revenue	Proprietary	Other				Federal Special Revenue	Proprietary	Other	

A. GENERAL GOVERNMENT

LEGISLATIVE BRANCH (1104)

1. Legislative Committees and Activities (21)

117,084	0	0	0	0	117,084	121,520	0	0	0	0	121,520
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Total

117,084	0	0	0	0	117,084	121,520	0	0	0	0	121,520
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If Senate Bill No. 100 is not passed and approved, the general fund appropriation in the amount of \$117,084 in fiscal year 2010 and in the amount of \$121,520 in fiscal year 2011 for Legislative Committees and Activities is void.

GOVERNOR'S OFFICE (3101)

1. Office of Budget and Program Planning (04)

a. HB13 Personal Services Contingency

4,000,000	0	0	0	0	4,000,000	0	0	0	0	0	0
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b. HB 13 Labor/Management Training Initiative

75,000	0	0	0	0	75,000	0	0	0	0	0	0
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c. HB 13 \$450 One-Time Payment

3,065,451	0	0	0	0	3,065,451	0	0	0	0	0	0
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Total

7,140,451	0	0	0	0	7,140,451	0	0	0	0	0	0
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DEPARTMENT OF COMMERCE (6501)

1. Business Resources Division (51)

a. Montana Main Street Program

125,000	0	0	0	0	125,000	125,000	0	0	0	0	125,000
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b. Indian Country Economic Development

General Fund	State Special Revenue	Fiscal 2010			Total	General Fund	State Special Revenue	Fiscal 2011			Total
		Federal Special Revenue	Proprietary	Other				Federal Special Revenue	Proprietary	Other	
798,496	0	0	0	0	798,496	798,496	0	0	0	0	798,496
c. Distressed Wood Products Industry											
3,752,548	0	0	0	0	3,752,548	3,747,452	0	0	0	0	3,747,452
d. Community Development Block Grant											
0	0	914,939	0	0	914,939	0	0	914,939	0	0	914,939
e. Community Service Planning Grant											
25,000	0	0	0	0	25,000	0	0	0	0	0	0
f. Biomass Energy Study											
475,000	0	0	0	0	475,000	0	0	0	0	0	0
g. Montana Agro-Energy Industrial Park (Restricted)											
150,000	0	0	0	0	150,000	150,000	0	0	0	0	150,000
h. High-Performance Computing											
1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
i. New Worker Training Program											
655,698	0	0	0	0	655,698	655,698	0	0	0	0	655,698
2. Energy Promotion and Development Division (55)											
a. Energy Promotion Division											
255,000	0	0	0	0	255,000	255,000	0	0	0	0	255,000
3. Community Development Division (60)											
a. TSEP Operations											
0	81,158	0	0	0	81,158	0	79,415	0	0	0	79,415
b. Distribution to School Districts and Local and Tribal Governments											
25,000,000	20,000,000	0	0	0	45,000,000	0	0	0	0	0	0
c. Historic Preservation Competitive Grants											
2,000,000	0	0	0	0	2,000,000	2,000,000	0	0	0	0	2,000,000
4. Housing Division (74)											

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Tax Credit Assistance Program											
0	0	3,909,180	0	0	3,909,180	0	0	3,909,180	0	0	3,909,180
b. Housing Credit Exchange											
0	0	15,389,250	0	0	15,389,250	0	0	15,389,250	0	0	15,389,250
c. Welcome Home Loan Program											
0	2,000,000	0	0	0	2,000,000	0	0	0	0	0	0
5. Director's Office/Management Services Division (81)											
a. Broadband Mapping											
300,000	0	0	0	0	300,000	0	0	0	0	0	0
b. School Facilities Program Administration and Grants											
0	0	0	0	0	0	0	34,000	0	0	0	34,000
c. Quick Start Energy Grants											
0	14,950,000	0	0	0	14,950,000	0	0	0	0	0	0
Total											
34,536,742	37,031,158	20,213,369	0	0	91,781,269	8,731,646	113,415	20,213,369	0	0	29,058,430

Montana Agro-Energy Industrial Park is restricted to grant funding for the development of the Montana Agro-Energy Industrial Park.

The line item for Biomass Energy Study may be used to fund biomass project feasibility studies, installation of biomass energy boilers, or biomass program staff within the department of natural resources and conservation in order to increase biomass utilization accomplishments.

The line item for New Worker Training is to provide training funds for businesses to train and educate both new and existing employees, the purpose of which is the retention and creation of high-wage and high-skilled jobs that will increase the earning potential and employment opportunities for Montana employees and enhance the state's economy. The line item for New Worker Training is intended to be implemented using a framework similar to that established under the Primary Sector Business Workforce Training Act provided for in Title 39, chapter 11, except that the New Worker Training appropriation line item is to be used to train and educate both new and existing employees.

The line item and general fund appropriation in the amount of \$1,311,306 for New Worker Training is contingent upon passage and approval of Senate Bill No. 100. If Senate Bill No. 100 is not passed and approved, the appropriation for New Worker Training is void.

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

If Senate Bill No. 100 is not passed and approved, there is an appropriation to the Community Development Division in the amount of \$4.5 million general fund for fiscal year 2010 for the provision of grants by the coal board established in 2-15-1821.

The line item appropriation for Broadband Mapping may be used to develop a statewide broadband inventory map pursuant to the provisions of Title VI of the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Except as provided in [sections 57 and 58], the line item appropriation for the School Facilities Program Administration and Grants is to be used in the same manner as provided in section 10 of HB 152.

The item for Historic Preservation Competitive Grants is for the awarding of grants to public or private entities for the preservation of historic sites within the state of Montana based on a competitive criteria created by the department, as guided by the legislature, that may include:

- (1) the degree of economic stimulus or economic activity, including job creation and work creation for Montana contractors and service workers;
- (2) the timing of the project, including the access to matching funds if needed and approval of permits so the work can be completed without delay;
- (3) the historic or heritage value related to the state of Montana;
- (4) the successful track record or experience of the organization directing the project; and
- (5) the expected ongoing economic benefit to the state as a result of the project completion.

The amount of \$50,000 of the line item for Historic Preservation Competitive Grants must be used for the restoration and preservation of the historic Daly mansion.

The amount of \$40,000 of the line item for Historic Preservation Competitive Grants must be allocated to the historic St. Mary's mission maintenance and restoration project.

The amount of \$180,000 of the line item for Historic Preservation Competitive Grants must be used for the restoration and preservation of the travelers' rest historic site.

The amount of 2.71% of the appropriation for the line item for Historic Preservation Competitive Grants may be used for administrative expenses to implement the program.

The amount of \$1 million of the general fund appropriation for Historic Preservation Competitive Grants is contingent upon passage and approval of Senate Bill No. 100.

General Fund	State Special Revenue	Fiscal 2010		Other	Total	General Fund	State Special Revenue	Fiscal 2011		Other	Total
		Federal Special Revenue	Proprietary					Federal Special Revenue	Proprietary		
DEPARTMENT OF LABOR AND INDUSTRY (6602)											
1. Workforce Services Division (01)											
a. Workforce Investment Act --- Adult											
0	0	1,246,876	0	0	1,246,876	0	0	0	0	0	0
b. Workforce Investment Act --- Youth											
0	0	2,947,501	0	0	2,947,501	0	0	0	0	0	0
c. Workforce Investment Act --- Dislocated Workers											
0	0	1,728,008	0	0	1,728,008	0	0	0	0	0	0
d. Employment Services											
0	0	1,104,669	0	0	1,104,669	0	0	0	0	0	0
e. Community Service Employment for Older Americans											
0	0	147,000	0	0	147,000	0	0	0	0	0	0
f. Temporary Extension of TAA											
0	0	1,202,742	0	0	1,202,742	0	0	400,914	0	0	400,914
g. Reemployment Services to Benefit UI Claimants											
0	0	1,380,835	0	0	1,380,835	0	0	460,279	0	0	460,279
2. Unemployment Insurance Division (02)											
a. Extend Emergency Unemployment Compensation Program											
0	0	1,968,103	0	0	1,968,103	0	0	0	0	0	0
b. Temporary Extension of TAA											
0	0	113,242	0	0	113,242	0	0	73,585	0	0	73,585
c. Increase in Unemployment Compensation Program											
0	0	190,628	0	0	190,628	0	0	0	0	0	0
d. Special Transfer for Unemployment Compensation Modernization											
0	0	340,271	0	0	340,271	0	0	154,748	0	0	154,748
e. Special Transfer in Federal FY 2009 for Administration											

General Fund	State Special Revenue	Fiscal 2010		Other	Total	General Fund	State Special Revenue	Fiscal 2011		Other	Total
		Federal Special Revenue	Proprietary					Federal Special Revenue	Proprietary		
0	0	834,416	0	0	834,416	0	0	560,280	0	0	560,280
3. Office of Community Service (07)											
a. AmeriCorps Grant											
0	0	500,000	0	0	500,000	0	0	0	0	0	0
Total											
0	0	13,704,291	0	0	13,704,291	0	0	1,649,806	0	0	1,649,806
DEPARTMENT OF MILITARY AFFAIRS (6701)											
1. Army National Guard Program (12)											
a. Culbertson Armory -- Female Latrines Allocation											
0	0	225,900	0	0	225,900	0	0	0	0	0	0
b. Malta Armory -- Female Latrines Allocation											
0	0	225,900	0	0	225,900	0	0	0	0	0	0
c. Fort Harrison -- Helicopter Dip Site Allocation											
0	0	279,268	0	0	279,268	0	0	0	0	0	0
d. Statewide Armories -- Vault Modifications Allocation											
0	0	500,000	0	0	500,000	0	0	0	0	0	0
e. Billings -- Water Recycler											
0	0	18,500	0	0	18,500	0	0	0	0	0	0
f. Fort Harrison Building 412 Mechanical System											
0	0	30,000	0	0	30,000	0	0	0	0	0	0
g. Military Museum and IED -- Fort Harrison											
1,000,000	0	0	0	0	1,000,000	0	0	0	0	0	0
Total											
1,000,000	0	1,279,568	0	0	2,279,568	0	0	0	0	0	0

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
There is allocated \$225,900 federal stimulus to the Army National Guard Program for the Culbertson Armory — Female Latrines project, which has been approved by the national guard bureau.											
There is allocated \$225,900 federal stimulus funds to the Army National Guard Program for the Malta Armory — Female Latrines project, which has been approved by the national guard bureau.											
There is allocated \$500,000 federal stimulus to the Army National Guard Program for the Statewide Armories — Vault Modifications project, which has been approved by the national guard bureau.											
There is allocated \$279,268 federal stimulus funds to the Army National Guard Program for the Fort Harrison — Helicopter Dip Site project, which has been approved by the national guard bureau.											
Military Museum and IED — Fort Harrison consists of \$250,000 for a military museum and \$750,000 for IED training.											
TOTAL SECTION A											
42,794,277	37,031,158	35,197,228	0	0	115,022,663	8,853,166	113,415	21,863,175	0	0	30,829,756

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
B. HEALTH AND HUMAN SERVICES											
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES (6901)											
1. Human and Community Services Division (02)											
a. Child Care Development Block Grant — FY 2009											
0	0	718,736	0	0	718,736	0	0	0	0	0	0
b. Child Care Development Block Grant — FY 2010-11											
0	0	2,873,503	0	0	2,873,503	0	0	2,155,127	0	0	2,155,127
c. Community Services Block Grant — FY 2009											
0	0	1,692,000	0	0	1,692,000	0	0	0	0	0	0
d. Community Services Block Grant — FY 2010-11											
0	0	2,256,000	0	0	2,256,000	0	0	564,000	0	0	564,000
e. TANF Emergency Funds — FY 2009											
0	0	1,765,870	0	0	1,765,870	0	0	0	0	0	0
f. TANF Emergency Funds — FY 2010-11											
0	0	2,185,332	0	0	2,185,332	0	0	1,638,999	0	0	1,638,999
g. SNAP — Food Stamps — FY 2009											
0	0	5,983,625	0	0	5,983,625	0	0	0	0	0	0
h. SNAP — Food Stamps — FY 2010-11											
0	0	21,503,078	0	0	21,503,078	0	0	21,415,578	0	0	21,415,578
i. Food Distribution on Reservations — FY 2009											
0	0	69,300	0	0	69,300	0	0	0	0	0	0
j. Food Distribution on Reservations — FY 2010-11											
0	0	77,000	0	0	77,000	0	0	7,700	0	0	7,700
k. Emergency Food Assistance — FY 2009											
0	0	32,750	0	0	32,750	0	0	0	0	0	0
l. Emergency Food Assistance — FY 2010-11											
0	0	43,667	0	0	43,667	0	0	10,916	0	0	10,916

General Fund	State Special Revenue	Fiscal 2010			Total	General Fund	State Special Revenue	Fiscal 2011			Total
		Federal Special Revenue	Proprietary	Other				Federal Special Revenue	Proprietary	Other	
m. Weatherization — FY 2009	0	3,382,460	0	0	3,382,460	0	0	0	0	0	0
n. Weatherization — FY 2010-11	0	13,529,841	0	0	13,529,841	0	0	10,147,380	0	0	10,147,380
o. Homeless Prevention/Emergency Food & Shelter — FY 2009	0	187,500	0	0	187,500	0	0	0	0	0	0
p. Homeless Prevention/Emergency Food & Shelter — FY 2010-11	0	1,875,000	0	0	1,875,000	0	0	1,687,500	0	0	1,687,500
q. Food for Food Banks (Restricted)	250,000	0	0	0	250,000	250,000	0	0	0	0	250,000
r. Homeless Prevention/Emergency Food & Shelter — General Fund (Restricted)	750,000	0	0	0	750,000	750,000	0	0	0	0	750,000
2. Director's Office (04)											
a. VISTA — FY 2010-11	0	50,000	0	0	50,000	0	0	50,000	0	0	50,000
b. Provider Rate Increase (Restricted)	4,650,830	19,829	8,343,733	0	13,014,392	10,333,165	41,231	16,111,921	0	0	26,466,317
3. Child Support Enforcement Division (05)											
a. CSED — Temporarily Restore Federal Matching Funds — FY 2009	0	1,646,914	0	0	1,646,914	0	0	0	0	0	0
b. CSED — Temporarily Restore Federal Matching Funds — FY 2010-11	0	2,040,176	0	0	2,040,176	0	0	619,235	0	0	619,235
4. Public Health and Safety Division (07)											
a. WIC — FY 2010-11	0	783,000	0	0	783,000	0	0	700,000	0	0	700,000
b. County Health Grants — Asbestos — FY 2010-11											

General Fund	State Special Revenue	Fiscal 2010			Total	General Fund	State Special Revenue	Fiscal 2011			Total
		Federal Special Revenue	Proprietary	Other				Federal Special Revenue	Proprietary	Other	
0	0	1,000,000	0	0	1,000,000	0	0	1,000,000	0	0	1,000,000
c. Prevention and Wellness Fund — FY 2010-11	0	2,100,000	0	0	2,100,000	0	0	2,100,000	0	0	2,100,000
d. HB 173 — Implementing National Public Health Standards (Restricted)	200,000	0	0	0	200,000	200,000	0	0	0	0	200,000
5. Operations and Technology Division (09)											
a. Health Information Technology — FY 2010-11	357,000	0	0	0	357,000	357,000	0	0	0	0	357,000
6. Disability Services Division (10)											
a. IDEA — Infants and Families — FY 2010-11	0	1,069,921	0	0	1,069,921	0	0	1,069,922	0	0	1,069,922
b. Vocational Rehabilitation State Grants — FY 2010-11	0	1,315,737	0	0	1,315,737	0	0	1,000,000	0	0	1,000,000
7. Health Resources Division (11)											
a. FMAP — FY 2009	0	54,000,000	0	0	54,000,000	0	0	0	0	0	0
b. FMAP — FY 2010-11	0	78,000,000	0	0	78,000,000	0	0	31,000,000	0	0	31,000,000
c. Medicaid Caseload — FY 2010-11	18,433,433	52,973,315	0	0	71,406,748	22,219,989	0	77,461,776	0	0	99,681,765
d. Sustain System of Care and Kids Management Authorities (Restricted)	333,500	0	0	0	333,500	333,500	0	0	0	0	333,500
e. Indian Property Exclusion in Medicaid Determination	231,764	751,536	0	0	983,300	310,188	0	732,110	0	0	1,042,298
f. Transitional Medicaid	196,432	636,968	0	0	833,400	248,020	0	585,380	0	0	833,400

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
8. Senior and Long-Term Care Division (22)											
a. Aging Services Programs — FY 2010-11											
0	0	250,000	0	0	250,000	0	0	250,000	0	0	250,000
b. Nonmedicaid Community Aging Services (Restricted)											
58,919	0	1,441,081	0	0	1,500,000	58,918	0	1,441,082	0	0	1,500,000
c. Direct Care Worker Wage Increase — SLTC Services (Restricted)											
1,915,738	0	6,210,533	0	0	8,126,271	2,446,846	0	5,775,303	0	0	8,222,149
9. Addictive and Mental Disorders Division (33)											
a. Community Mental Health Crisis Services Demonstration Project (Restricted/Biennial)											
25,000	0	0	0	0	25,000	0	0	0	0	0	0
b. Implement HB 130 (Biennial/Restricted)											
475,000	0	0	0	0	475,000	0	0	0	0	0	0
Total											
27,877,616	19,829	270,788,576	0	0	298,686,021	37,507,626	41,231	177,523,929	0	0	215,072,786

The House Bill No. 2 base general fund appropriations for the Human and Community Services Division for benefits are reduced by \$668,397 in FY 2010 and \$1,375,485 in FY 2011.

The lesser of \$668,397 or actual total fiscal year 2010 expenditures from Human and Community Services Division, Child Care Development Block Grant — FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 18]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 18].

Homeless Prevention/Emergency Food & Shelter — General Fund may be used by the Human and Community Services Division only to allow human resource development councils to assist shelters throughout the state in the four components identified for shelters in the federal grant:

- (1) essential services to homeless families;
- (2) one-time payments for homeless prevention services;
- (3) maintenance funding in support of existing emergency shelters and domestic violence facilities that provide shelter, food, and individual support services; and

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
(4) rehabilitation or conversion of buildings for homeless shelters.											

Provider Rate Increase may be used only to fund a provider rate increase. Funds may be allocated among programs. Provider Rate Increase may not be used to raise rates paid to providers pursuant to 53-6-125.

HB 173 — Implementing National Public Health Standards may be used only to make grants to local public health agencies. ~~The line item and general fund appropriation in the amount of \$400,000 over the biennium for HB 173 — Implementing National Public Health Standards is contingent upon passage and approval of Senate Bill No. 100. If Senate Bill No. 100 is not passed and approved, the appropriation for HB 173 — Implementing National Public Health Standards is void.~~

In granting the funds for Health Information Technology — 2010-11, the department shall seek a nonprofit entity that is governed by a board of directors made up of members who provide a good geographic and demographic representation of the state and who represent the constituents interested in health care information technology, including but not limited to physicians, health care facilities, insurers, telemedicine providers, and government agencies.

Total fiscal year 2010 expenditures from CSED — Temporarily Restore Federal Matching Funds — FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 18]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 18].

The House Bill No. 2 base general fund appropriations for the Health Resources Division for benefits are reduced by \$71 million in FY 2010 and \$26 million in FY 2011. The agency may redistribute funding between programs to realign funding sources for medicaid and Title IV-E funding.

Total fiscal year 2010 expenditures from FMAP — FY 2010-11 may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 18]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 18].

The total collections of enhanced FMAP include \$146 million that reduces state general fund expenditures, \$14 million of additional general fund revenue from institutional reimbursements and the hospital utilization fee, and \$3 million of additional federal expenditures for schools which does not impact general fund.

Medicaid Caseload — FY2010-11:

- (1) may be used only to transfer funds eligible for reserve under the American Recovery and Reinvestment Act of 2009, Public Law 111-5, Title V, section 5001, to a state special revenue account;
- (2) may be used only to pay medicaid benefits above the level appropriated in House Bill No. 2 excluding the healthy Montana kids program; and
- (3) includes an appropriation of up to \$1 million of general fund and \$1 million of federal funds for administration directly attributable to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, or to medicaid benefits.

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1211

General Fund	State Special Revenue	Fiscal 2010			Total	General Fund	State Special Revenue	Fiscal 2011			Total
		Federal Special Revenue	Proprietary	Other				Federal Special Revenue	Proprietary	Other	

Direct Care Worker Wage Increase — SLTC Services must be used to raise provider rates for medicaid services to allow for wage increases or lump-sum payments to workers who provide direct care and ancillary services.

Community Mental Health Crisis Services Demonstration Project is contingent upon passage and approval of House Bill No. 130, House Bill No. 131, or House Bill No. 132 and may be used only to implement those bills.

Implement HB 130 is contingent upon passage and approval of House Bill No. 130. If House Bill No. 130 is not passed and approved, Implement HB 130 must be used for matching grants for mental health crisis centers.

TOTAL SECTION B											
27,877,616	19,829	270,788,576	0	0	298,686,021	37,507,626	41,231	177,523,929	0	0	215,072,786

General Fund	State Special Revenue	Fiscal 2010			Total	General Fund	State Special Revenue	Fiscal 2011			Total
		Federal Special Revenue	Proprietary	Other				Federal Special Revenue	Proprietary	Other	

C. NATURAL RESOURCES AND TRANSPORTATION

DEPARTMENT OF ENVIRONMENTAL QUALITY (5301)

1. Planning, Prevention, and Assistance Division (20)

a. State Energy Programs											
0	0	5,509,281	0	0	5,509,281	0	0	3,202,719	0	0	3,202,719
b. Energy Efficiency Block Grant											
0	0	7,253,289	0	0	7,253,289	0	0	323,711	0	0	323,711
c. Drinking Water SRF — Administration											
0	0	388,673	0	0	388,673	0	0	313,400	0	0	313,400
d. Clean Water SRF — Administration											
0	0	382,034	0	0	382,034	0	0	307,828	0	0	307,828
e. Water Quality Grant											
0	0	193,886	0	0	193,886	0	0	0	0	0	0
f. Diesel Emissions Reduction Act (DERA) Grant											
0	0	1,033,287	0	0	1,033,287	0	0	666,713	0	0	666,713
g. Energy Storage Grant Program											
0	0	1,000,000	0	0	1,000,000	0	0	0	0	0	0
h. Energy Storage Grant Program Additional Funding (Restricted)											
0	0	0	0	0	0	0	0	1,000,000	0	0	1,000,000

2. Remediation Division (40)

a. Leaking Underground Storage Tanks											
0	0	1,075,491	0	0	1,075,491	0	0	924,509	0	0	924,509

3. Permitting and Compliance Division (50)

a. Drinking Water SRF — Administration											
0	0	607,297	0	0	607,297	0	0	535,057	0	0	535,057

General Fund	State Special Revenue	Fiscal 2010				General Fund	State Special Revenue	Fiscal 2011			
		Federal Special Revenue	Proprietary	Other	Total			Federal Special Revenue	Proprietary	Other	Total
b. Permitting and Compliance Division Administration — Federal Stimulus											
359,794	0	0	0	0	359,794	367,918	0	0	0	0	367,918
c. Permitting and Compliance Division Administration — FY 2009											
101,600	0	0	0	0	101,600	0	0	0	0	0	0
Total											
461,294	0	17,443,238	0	0	17,904,532	367,918	0	7,273,937	0	0	7,641,855

Energy Storage Grant Program Additional Funding is appropriated only if the federal allocation for the state energy program exceeds \$25.8 million and the excess funding is not restricted to another purpose.

DEPARTMENT OF TRANSPORTATION (5401)

1. Construction Program (02)

a. Highway Funding

0	0	132,000,000	0	0	132,000,000	0	0	88,000,000	0	0	88,000,000
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2. Transportation Planning Division (50)

a. Transit Formula Funding

0	0	9,367,026	0	0	9,367,026	0	0	6,244,684	0	0	6,244,684
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b. Rail Transit Authority

49,354	0	0	0	0	49,354	50,000	0	0	0	0	50,000
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Total											
49,354	0	141,367,026	0	0	141,416,380	50,000	0	94,244,684	0	0	94,294,684

If Senate Bill No. 201 is not passed and approved, Rail Transit Authority is void.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)

1. Centralized Services Division (21)

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Drinking Water — SRF											
0	0	75,140	0	0	75,140	0	0	75,712	0	0	75,712
2. Conservation and Resource Development Division (23)											
a. Drinking Water — SRF											
0	0	10,530,000	0	0	10,530,000	0	0	0	0	0	0
b. Clean Water — SRF											
0	0	10,385,146	0	0	10,385,146	0	0	20,000	0	0	20,000
c. Water Project Administration											
230,000	0	0	0	0	230,000	230,000	0	0	0	0	230,000
3. Reserved Water Rights Compact Commission (25)											
a. Blackfeet Water Compact (transfer)											
4,000,000	0	0	0	0	4,000,000	0	0	0	0	0	0
b. Fort Belknap Water Compact (transfer)											
1,000,000	0	0	0	0	1,000,000	0	0	0	0	0	0
4. Forestry and Trust Lands (35)											
a. USFS State and Private Forestry Assistance											
0	0	4,250,000	0	0	4,250,000	0	0	4,250,000	0	0	4,250,000
Total											
5,230,000	0	25,240,286	0	0	30,470,286	230,000	0	4,345,712	0	0	4,575,712
TOTAL SECTION C											
5,740,648	0	184,050,550	0	0	189,791,198	647,918	0	105,864,333	0	0	106,512,251

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

D. JUDICIAL BRANCH, LAW ENFORCEMENT, JUSTICE

JUDICIARY (2110)

1. Supreme Court Operations (01)

a. Self-Help Law Program

250,000	0	0	0	0	250,000	250,000	0	0	0	0	250,000
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Total

250,000	0	0	0	0	250,000	250,000	0	0	0	0	250,000
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The amount of \$250,000 of the general fund appropriation for Self-Help Law Program is contingent upon passage and approval of Senate Bill No. 100.

CRIME CONTROL DIVISION (4107)

1. Justice System Support Service (01)

a. Byrne/JAG Grant

0	0	3,165,819	0	0	3,165,819	0	0	0	0	0	0
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b. Crime Victims Assistance Grant

0	0	564,000	0	0	564,000	0	0	0	0	0	0
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c. Violence Against Women Grant

0	0	916,955	0	0	916,955	0	0	0	0	0	0
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Total

0	0	4,646,774	0	0	4,646,774	0	0	0	0	0	0
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DEPARTMENT OF JUSTICE (4110)

1. Legal Services Division (01)

a. Crime Victims Compensation Grant

0	0	90,582	0	0	90,582	0	0	90,582	0	0	90,582
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Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

2. Division of Criminal Investigation (18)

a. Meth Watch

500,000	0	0	0	0	500,000	0	0	0	0	0	0
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b. Internet Crimes Against Children Grants

0	0	403,670	0	0	403,670	0	0	0	0	0	0
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Total

500,000	0	494,252	0	0	994,252	0	0	90,582	0	0	90,582
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DEPARTMENT OF CORRECTIONS (6401)

1. Community Corrections (02)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime

0	0	73,225	0	0	73,225	0	0	73,620	0	0	73,620
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2. Secure Care (03)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime

0	0	997,547	0	0	997,547	0	0	1,002,781	0	0	1,002,781
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3. Juvenile Corrections (05)

a. Remove Vacancy Savings for 24-7 Staff/Reduce Overtime

0	0	282,040	0	0	282,040	0	0	283,346	0	0	283,346
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Total

0	0	1,352,812	0	0	1,352,812	0	0	1,359,747	0	0	1,359,747
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TOTAL SECTION D

750,000	0	6,493,838	0	0	7,243,838	250,000	0	1,450,329	0	0	1,700,329
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E. EDUCATION

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION (3501)

1. OPI Administration (06)

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
a. Title I-A Improvement --- FY 2009											
0	0	468,150	0	0	468,150	0	0	0	0	0	0
b. Title II-D Education Technology --- FY 2009											
0	0	160,469	0	0	160,469	0	0	0	0	0	0
c. Title I-A --- FY 2009											
0	0	415,800	0	0	415,800	0	0	0	0	0	0
d. McKinney-Vento (Homeless Assistance) --- FY 2010-11											
0	0	22,400	0	0	22,400	0	0	0	0	0	0
e. Montana Learning Center (Restricted)											
50,000	0	0	0	0	50,000	0	0	0	0	0	0
2. Distribution to Public Schools (09)											
a. School Lunch Equipment											
0	0	247,461	0	0	247,461	0	0	0	0	0	0
b. Title I --- FY 2009											
0	0	34,234,200	0	0	34,234,200	0	0	0	0	0	0
c. IDEA --- Special Education											
0	0	36,708,056	0	0	36,708,056	0	0	0	0	0	0
d. Education Technology --- FY 2009											
0	0	3,048,906	0	0	3,048,906	0	0	0	0	0	0
e. Title I-A Improvement --- FY 2009											
0	0	8,894,850	0	0	8,894,850	0	0	0	0	0	0
f. IDEA Part B (Section 619 Preschool) --- FY 2010-11											
0	0	1,260,947	0	0	1,260,947	0	0	0	0	0	0

Fiscal 2010						Fiscal 2011					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
g. McKinney-Vento (Homeless Assistance) --- FY 2010-11											
0	0	201,600	0	0	201,600	0	0	0	0	0	0
h. Special Education --- Maintenance of Effort --- FY 2009											
1,233,764	0	0	0	0	1,233,764	1,233,764	0	0	0	0	1,233,764
i. Stabilization Funding for K-12 Education											
0	0	14,613,477	0	0	14,613,477	0	0	25,779,699	0	0	25,779,699
j. Increase State Support for Schools With Education Stabilization Funds											
0	0	10,717,552	0	0	10,717,552	0	0	10,993,075	0	0	10,993,075
Total											
1,233,764	0	110,993,868	0	0	112,277,632	1,233,764	0	36,772,774	0	0	38,006,538

Montana Learning Center funding may be used only for deferred maintenance on facilities or for making energy efficiency improvements at the Montana learning center.

For the 2011 biennium, the first source of funding of the school district guaranteed tax base aid and direct state aid is the federal appropriation for Stabilization Funding for K-12 Education.

Total fiscal year 2010 expenditures from the line item Stabilization Funding for K-12 Education may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 18]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 18].

MONTANA SCHOOL FOR THE DEAF AND BLIND (5113)

1. Education Program (04)

a. Special Needs Equipment											
34,507	0	0	0	0	34,507	18,000	0	0	0	0	18,000
Total											
34,507	0	0	0	0	34,507	18,000	0	0	0	0	18,000

MONTANA ARTS COUNCIL (5114)

General Fund	State Special Revenue	Fiscal 2010				General Fund	State Special Revenue	Fiscal 2011			
		Federal Special Revenue	Proprietary	Other	Total			Federal Special Revenue	Proprietary	Other	Total
1. National Endowment for the Arts											
0	0	145,500	0	0	145,500	0	0	145,500	0	0	145,500
Total											
0	0	145,500	0	0	145,500	0	0	145,500	0	0	145,500
MONTANA LIBRARY COMMISSION (5115)											
1. Statewide Library Resources (01)											
a. Expansion of Reading Services for the Blind											
323,000	0	0	0	0	323,000	0	0	0	0	0	0
Total											
323,000	0	0	0	0	323,000	0	0	0	0	0	0
MONTANA UNIVERSITY SYSTEM, INCLUDING OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION AND EDUCATIONAL UNITS AND AGENCIES (5100)											

1. OCHE – Administration (01)											
a. Distance Learning											
1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
b. Virtual Academy											
1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
2. OCHE – Community College Assistance (04)											
a. Community College Assistance --- Restore to Governor's December 15 Budget (Restricted/OTO)											
606,189	0	0	0	0	606,189	671,586	0	0	0	0	671,586
b. Community College Assistance											
137,944	0	762,056	0	0	900,000	113,299	0	786,701	0	0	900,000
c. Community Colleges Tuition Mitigation											

General Fund	State Special Revenue	Fiscal 2010				General Fund	State Special Revenue	Fiscal 2011			
		Federal Special Revenue	Proprietary	Other	Total			Federal Special Revenue	Proprietary	Other	Total
0	0	776,851	0	0	776,851	0	0	824,024	0	0	824,024
3. OCHE – Appropriation Distribution Transfers (09)											
a. Tuition Mitigation for Resident Students Funded With Education General Funds											
3,154,033	0	0	0	0	3,154,033	2,506,230	0	0	0	0	2,506,230
b. Stabilization Funding for Higher Education											
0	0	29,762,223	0	0	29,762,223	0	0	29,762,224	0	0	29,762,224
c. Montana University System Tuition Mitigation and Increased Access to Distance Learning for Resident Students Funded With General Government State Fiscal Stabilization Funds											
0	0	5,966,490	0	0	5,966,490	0	0	6,580,345	0	0	6,580,345
d. PBS Satellite Delivery											
200,000	0	0	0	0	200,000	200,000	0	0	0	0	200,000
e. Agricultural Experiment Station – Sawfly Research (Restricted)											
250,000	0	0	0	0	250,000	250,000	0	0	0	0	250,000
f. Agricultural Experiment Station – Equipment and Infrastructure											
1,000,000	0	0	0	0	1,000,000	1,000,000	0	0	0	0	1,000,000
g. Montana Extension Service – Local Government Centers (Restricted)											
150,000	0	0	0	0	150,000	150,000	0	0	0	0	150,000
h. Replace 6-Mill Levy Revenue Shortfall With Federal General Stabilization Funds											
0	0	1,447,296	0	0	1,447,296	0	0	1,046,625	0	0	1,046,625
4. OCHE – Tribal College Assistance (11)											
a. Tribal College Assistance											
450,000	0	0	0	0	450,000	450,000	0	0	0	0	450,000
Total											
7,948,166	0	38,714,916	0	0	46,663,082	7,341,115	0	38,999,919	0	0	46,341,034

The line item appropriation for Distance Learning is to be used to facilitate access and affordability of 2-year colleges by:

(1) centralizing distance learning courses into a single unified web-based student enrollment system for admissions and financial assistance to enhance access and degree completion; and

(2) coordinating with the superintendent of public instruction on at least five early college degree programs in a Montana Big Sky Career Pathway for high school students to have access to college courses in the classroom or virtually in order to obtain a high school diploma and associate degree in 5 years.

The amount of \$1,800,000 total funds over the biennium for Community College Assistance must be allocated as follows: \$400,000 to Flathead Valley community college, \$700,000 to Miles community college, and \$700,000 to Dawson community college.

Total fiscal year 2010 expenditures from the line item Stabilization Funding for Higher Education may be included in the base budget for the purposes of 17-7-111 for the 2013 biennium budget in accordance with [section 18]. These expenditures may be funded with general fund in the present law base for the 2013 biennium executive budget in accordance with [section 18].

The line item appropriation for Agricultural Experiment Station — Sawfly Research is restricted to sawfly research.

~~The line item appropriation for Agricultural Experiment Station — Equipment and Infrastructure is restricted to purchases for infrastructure and equipment for agricultural experiment stations.~~

The line item appropriation for Montana Extension Service — Local Government Centers is restricted to expenditures for the local government center program in the Montana extension service.

Any local education agency or institution of higher education that receives funding under this program shall ensure that the agency or institution will meet the intentions and legal requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

TOTAL SECTION E											
General Fund	State Special Revenue	Fiscal 2010 Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Fiscal 2011 Federal Special Revenue	Proprietary	Other	Total
9,589,437	0	149,854,284	0	0	159,443,721	8,592,879	0	75,918,193	0	0	84,511,072

F. LONG-RANGE PLANNING

STATEWIDE AGENCY (9999)

1. Long-Range Building Program — HB 5 (01)

	General Fund	State Special Revenue	Fiscal 2010 Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Fiscal 2011 Federal Special Revenue	Proprietary	Other	Total
a. Long-Range Building Program Additional Transfer	7,248,486	0	0	0	0	7,248,486	6,544,914	0	0	0	0	6,544,914
b. Long-Range Building Program Allocation	0	0	638,216	0	0	638,216	0	0	638,216	0	0	638,216
c. Long-Range Building Program Transfer	1,792,586	0	0	0	0	1,792,586	1,792,586	0	0	0	0	1,792,586
d. State Energy Conservation Capital Projects Account Allocation	0	0	6,519,000	0	0	6,519,000	0	0	6,519,000	0	0	6,519,000
e. State Energy Conservation Repayment Account Transfer	750,000	0	0	0	0	750,000	750,000	0	0	0	0	750,000
f. MUS Energy Conservation Improvements Transfer and Allocation	6,150,000	0	3,850,000	0	0	10,000,000	6,150,000	0	4,850,000	0	0	11,000,000
g. MUS Energy Conservation Additional Funds (Restricted)	0	0	0	0	0	0	0	0	1,000,000	0	0	1,000,000
h. University of Montana-Western — Main Hall Transfer	3,000,000	0	0	0	0	3,000,000	3,000,000	0	0	0	0	3,000,000
i. State Energy Conservation Capital Projects Account Transfer	750,000	0	0	0	0	750,000	750,000	0	0	0	0	750,000

2. Information Technology Projects — HB 10 (02)

	General Fund	State Special Revenue	Fiscal 2010 Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Fiscal 2011 Federal Special Revenue	Proprietary	Other	Total
a. Enterprise System Services Center Equipment (Department of Administration)	1,750,000	0	0	0	0	1,750,000	1,750,000	0	0	0	0	1,750,000
b. Interoperability Montana (Department of Administration)	500,000	0	0	0	0	500,000	500,000	0	0	0	0	500,000

General Fund	State Special Revenue	Fiscal 2010				General Fund	State Special Revenue	Fiscal 2011				Total
		Federal Special Revenue	Proprietary	Other	Total			Federal Special Revenue	Proprietary	Other	Total	
c. SOS Information Management System Transfer												
750,000	0	0	0	0	750,000	750,000	0	0	0	0	750,000	
3. Treasure State Endowment Program — HB 11 (03)												
a. Regional Water System Transfer												
4,000,000	0	0	0	0	4,000,000	4,000,000	0	0	0	0	4,000,000	
b. TSEP Infrastructure Transfer												
11,500,000	0	0	0	0	11,500,000	11,500,000	0	0	0	0	11,500,000	
4. Other Transfers (05)												
a. School Facilities Account (HB 152) Transfer												
35,034,000	0	0	0	0	35,034,000	0	0	0	0	0	0	
5. Renewable Resource Grants and Loans — HB 6 (07)												
a. Water Projects Transfer												
2,074,398	0	0	0	0	2,074,398	2,074,398	0	0	0	0	2,074,398	
6. Reclamation and Development Grants and Loans — HB 7 (08)												
a. Reclamation Projects Transfer												
897,133	0	0	0	0	897,133	897,133	0	0	0	0	897,133	
Total												
76,196,603	0	11,007,216	0	0	87,203,819	40,459,031	0	13,007,216	0	0	53,466,247	
TOTAL SECTION F												
76,196,603	0	11,007,216	0	0	87,203,819	40,459,031	0	13,007,216	0	0	53,466,247	

MUS Energy Conservation Additional Funds is appropriated only if the federal allocation for the state energy program in the department of environmental quality exceeds \$25.8 million and the excess funding is not restricted to another purpose.

General Fund	State Special Revenue	Fiscal 2010			Total	General Fund	State Special Revenue	Fiscal 2011			Total
		Federal Special Revenue	Proprietary	Other				Federal Special Revenue	Proprietary	Other	
The amount of \$1 million of the general fund appropriation for Enterprise System Services Center Equipment is contingent upon passage and approval of Senate Bill No. 100.											
TOTAL STATE FUNDING											
162,948,581	37,050,987	657,391,692	0	0	857,391,260	96,310,820	154,646	395,627,175	0	0	492,092,441

Approved May 14, 2009

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